

## APPOINTMENTS BY TRANSFER IN THE REGULAR ARMY

## TO FINANCE DEPARTMENT

Maj. John Lester Scott, Coast Artillery Corps, with rank from May 21, 1930.

## TO ORDNANCE DEPARTMENT

First Lt. Edward Cassel Reber, Field Artillery, with rank from July 9, 1934.

## PROMOTIONS IN THE REGULAR ARMY

*To be colonels*

Lt. Col. Edwin Colyer McNeil, Judge Advocate General's Department, from March 1, 1936.

Lt. Col. Augustine Warner Robins, Air Corps (brigadier general, assistant to the Chief of the Air Corps), from March 1, 1936.

Lt. Col. Emil Pehr Pierson, Cavalry, from March 1, 1936.

Lt. Col. Clark Porter Chandler, Cavalry, from March 1, 1936.

Lt. Col. John Walton Lang, Infantry, from March 1, 1936.

Lt. Col. Henry Harley Arnold, Air Corps (brigadier general, assistant to the Chief of the Air Corps), from March 1, 1936.

*To be lieutenant colonels*

Maj. Floyd Hatfield, Infantry, from March 1, 1936.

Maj. Charles Lewis Clifford, Cavalry, from March 1, 1936.

Maj. Oscar Otto Kuentz, Corps of Engineers, from March 1, 1936.

Maj. Earl Landreth, Infantry, from March 1, 1936.

Maj. William Edward Raab Covell, Corps of Engineers, from March 1, 1936.

Maj. Joseph Dogan Arthur, Jr., Corps of Engineers, from March 1, 1936.

*To be majors*

Capt. Edwin Rudolph Petzing, Signal Corps, from February 29, 1936.

Capt. Richard Carvel Mallonee, Field Artillery, from March 1, 1936.

Capt. Douglas Johnston, Air Corps, from March 1, 1936.

Capt. Lawrence Pradere Hickey, Air Corps, from March 1, 1936.

Capt. Severn Teackle Wallis, Jr., Field Artillery, from March 1, 1936.

Capt. William May, Infantry, from March 1, 1936.

Capt. Samuel Tankersley Williams, Infantry, from March 1, 1936.

## MEDICAL CORPS

*To be major*

Capt. Howland Allan Gibson, Medical Corps, from March 1, 1936.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate March 9 (legislative day of Feb. 24), 1936.*

## PUBLIC WORKS ADMINISTRATION

James W. Carey to be State engineer inspector for the Public Works Administration in Washington.

## POSTMASTERS

## ALASKA

Brigham Y. Grant, Wrangell.

## MISSOURI

Adolph H. Zoellner, Perryville.

## NEBRASKA

Mary L. Simmons, Bloomfield.

Roger M. Closs, Wymore.

## OHIO

Thomas H. Mulvey, Girard.

Noah H. Overturf, Granville.

Orville C. Frantz, Martins Ferry.

John H. H. Welsch, Port Washington.

Frank W. Feist, Steubenville.

Glen C. Rine, Utica.

## OREGON

John Howard Fuller, Ashland.

Henry J. Atlee, Banks.

Walter R. Powell, Burns.

George W. Leslie, Marshfield.

George A. McCulloch, Reedsport.

## VERMONT

Edward J. Owens, Barre.

Isabel Neary, Shelburne.

## VIRGINIA

William N. Guill, Halifax.

William R. Rogers, Hilton Village.

Clarence W. Bradford, Keller.

Lena Campbell, Madison Heights.

## WISCONSIN

Maxwell Jenks, Abbotsford.

L. Paul Mundschaue, Dousmam.

Lila E. Town, Nashotah.

Kathryn C. Meisner, Wittenberg.

## WITHDRAWAL

*Executive nomination withdrawn from the Senate March 9 (legislative day of Feb. 24), 1936*

## POSTMASTER

## PENNSYLVANIA

Wilbur E. Wunder to be postmaster at Royersford, in the State of Pennsylvania.

## HOUSE OF REPRESENTATIVES

MONDAY, MARCH 9, 1936

The House met at 12 o'clock noon.

The Reverend Edward Charles Russell, D. D., rector of St. Ann's Episcopal Church, of New York City, offered the following prayer:

Let us pray.

Direct us, O Lord, in all our doings with Thy most gracious favor and further us with Thy continual help, that in all our work, begun, continued, and ended in Thee, we may glorify Thy holy name, and finally, by Thy mercy, obtain everlasting life, through Jesus Christ our Lord.

*Our Father, who art in heaven, hallowed be Thy name; Thy kingdom come, Thy will be done in earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us, and lead us not into temptation but deliver us from evil, for Thine is the kingdom and the power and the glory, forever and ever. Amen.*

The Journal of the proceedings of Friday, March 6, 1936, was read and approved.

## THE FRAZIER-LEMKE REFINANCING FARM BILL

Mr. DUNN of Mississippi. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. DUNN of Mississippi. Mr. Speaker, in all ages great honor has been paid to agriculture because five-eighths of the people in every country are deciples of the plow, and today, more than ever, our people particularly are regarding the success of the farmer as the only hope for the return of a solid prosperity. They now realize that as grand as the mighty workshops of the Nation are, the stupendous steam-engine manufacturers, the immense machine works, the vast warehouses teeming with the triumphs of mechanical labor, great railways bearing their gigantic burdens across the country, I say as grand as these are, they are really of trivial importance compared with the great life of the Nation which lies in the warming bosom of its soil. And I say this because from the latter the means of existence must come, for if the

soil were rendered barren, the Nation itself would crumble to decay, its workshops tumble to the ground, and its great highways grow up in seed. The cultivation of the soil is the natural employment of man.

Assuming that the majority of my colleagues will agree with me about this, Mr. Speaker, I have been wondering for several months, in view of the deplorable depression which has been upon us for the past almost 6 years, why we, as the Representatives of our Nation and the arbiters of its economic destiny, do not recognize pending legislation which might, if enacted into law, bring mental solace and financial comfort not only to 32,000,000 farmers but to the entire Nation at large. And when I say this I am not unmindful of the charity already extended by our great Government to our farmers; of the wonderful work of Franklin D. Roosevelt in paving the way for a return of prosperity to all our people; yet, if we can aid, certainly under our oath it is our duty so to do.

I recognize the fact that the Bankhead bill for agricultural relief is designed entirely to replace the invalidated Agricultural Adjustment Act and that this legislation is well grounded on New Deal theories; but what I have in mind specifically is legislation that will give to the great mass of farmers in our Nation over whose head hangs a mortgage of some kind some sort of a breathing spell; legislation which will stop immediately thousands and thousands of foreclosures that are pushing the farmers into a state of financial arrears almost beyond imagination. Oh, I know the hue and cry from the big shots and money hoarders who want their interest at the expense of human suffering and misery, but this sort of fool business has got to stop, and the brakes must be applied immediately if we are to salvage our greatest natural resource from physical disintegration.

In this respect I am proud that I have had the honor of cooperating at length with the gentleman from North Dakota [Mr. LEMKE] in the matter of presenting the Frazier-Lemke refinance bill to Congress. To date the bill is in committee and the petition to bring it out under the rules lacks but seven names, mine not among them.

Why the Representatives in Congress do not want this bill brought to the floor for open debate and amendments if necessary is beyond me. It is my honest opinion that if the bill were read carefully by the Members of Congress they would readily see its colossal import and it would be immediately brought out of the committee to the floor. Some suggest that the bill is obnoxious to the administration, but even this should not preclude an honest hearing of the bill by those of us charged with the success of national legislation.

"And what is the Frazier-Lemke bill?" you ask. This question cannot be answered satisfactorily without first reviewing the present situation as concerns the plight of the American farmer.

In 1935 there were approximately 7,000,000 farms in the United States, varying in the number of acres to the farm, but suffice it to say that the great majority of these farms are less than 100 acres in size. These almost 7,000,000 farms engage, including owners, more than 32,000,000 human beings, and these 32,000,000 human beings who gather from the warmth of the soil our agricultural products make up about one-fourth of our national population. The value of these farms in 1930 was approximately \$75,000,000,000, but today their valuation has decreased almost 50 percent, or to the low level of approximately \$37,000,000,000. In 1929 the total valuation of farm products of all kinds was about \$10,000,000,000. In 1934 the value of these farm products had shrunk to the low level of seven billion. No one particularly is to blame for this situation, because the depression has emaciated values beyond human control; but it is healthy to see just what our farm program means to the stability of our Government; what a mighty part it plays in the economic destiny of our commercial institutions. Without them we would become foundlings on the sea of lost hope—an impoverished people stifled and blinded by our failure to recognize their position in life as an absolute necessity to the existence of a great people.

Well, Mr. Speaker, with the valuation of our farms at its lowest level in many years; with agricultural commodity prices juggled from day to day to such an extent that the prices the farmers today are getting for their products are not enough to live on, surely then we should look at the situation unbiased and free from party chicanery and clap-trap. It is serious. There must be a remedy, and that remedy, as previously stated, must be specific and immediate if the farmer is to have restored to him any sort of recognized purchasing power, for it is his purchasing power that keeps the wheels of industry turning, whether you are inclined to believe it or not.

Now, as stated before, there are approximately 7,000,000 farms in this country. How many of these farms would you think are mortgaged? I will tell you, sirs, that better than 50 percent of them are mortgaged, and, of course, a large percentage of these mortgages grow out of Government loans made at a time when farmers were destitute.

The Frazier-Lemke bill for refinancing these mortgages may or may not be good, but, to say the least, it is a sweet gesture in the right direction. The bill will affect more than \$10,000,000,000 in farm indebtedness on which our farmers are now paying interest at rates of from 3½ percent—and may I say here that I had a hand in lowering the farm-credit interest rate to this new low figure, but which is not yet low enough—to 8 percent and more under some circumstances, and this huge outlay of interest is of greater concern to the farmer, especially in my State, than most of you would suppose.

This bill also is intended to extend to individual farmers debt amortization over a long period of years through Government agencies and in such a manner that the owners and operators of farms, laboring under heavy mortgage obligations, could once again feel free and secure from the hammer of foreclosure and the ghost of eviction during this period of unprofitable prices. In other words, as I have said before, it will give them the breath of life which is so vital to the economic stability of our Nation.

The bill also whacks the interest rate to 1½ percent, which, in my judgment, is high enough when you consider the average farmer's opportunities.

And speaking of foreclosures, Mr. Speaker, down in my State every little county newspaper is filled with notices of foreclosure sales, thousands of them, and unless something is done to stop this, God only knows what is to happen to our farmers.

Give the farmers the same opportunities the banks have had. Save them now from the torture which is theirs. Give them the same chance the big shots have had, and you will inoculate them with a spirit as dynamic as truth and a courage as ferocious as fate.

How to finance such a moratorium? Surely this can be done by bonds of the Nation so as to evade discrimination among creditors. Accord them the same treatment as is accorded the banking interests through the Federal Reserve Bank. Continue to use their farms as collateral—there is no safer method than this. It is all we have. Refinance them on such a basis, and the purchasing power of this mighty army will scatter the clouds of doubt and bring us once again into the sunshine of national security. Refuse them, and you are heaping coals upon a fire, the flames of which are already licking at the vitals of our institutions. Refuse them, and we will soon be hearing the foreboding cry of the raven. [Applause.]

#### CORRECTION OF ERROR

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a brief letter I have received from a citizen of Great Britain protesting certain remarks I made in debate on the War Department appropriation bill as being incorrect, and my brief reply thereto.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McSWAIN. Mr. Speaker, in the course of the debate on the Army appropriation bill I stated that the British Navy



had feared to concentrate in the eastern Mediterranean and near the Suez Canal because of the fact that certain Italian bombers had taken the pledge to drop bombs upon British warships, even at the risk of their own lives. I stated that in consequence the British Fleet had retired to waters in the western Mediterranean. That was my information and I made the statement in good faith.

I have received the attached letter from Mr. Hugh Blaker, who evidently is a very loyal Britisher, and he asks me to correct the statement. I think the best way to correct that statement is by publishing his letter, which is very brief, in the same medium through which I made my statement. Accordingly I have requested consent to include said letter along with my remarks.

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON MILITARY AFFAIRS,  
Washington, D. C., March 9, 1936.

Mr. HUGH BLAKER,  
57 Church Street, Isleworth-on-Thames, England.

MY DEAR MR. BLAKER: I have your letter, and say to you sincerely and not ironically that I thank you for writing me as you have. Your letter is brutally frank. Of course, I will not presume to say that many Britishers have manifested ignorance of American conditions and situations.

The only way that I can think of to correct what you apparently insist shall be corrected is by printing your letter in full in the CONGRESSIONAL RECORD along with my reply.

I am interested in your concluding statement that the name McSwain is as old as any in this "lil' ole isle." If you can refer me to any books or records where I may have confirmation of this statement I will thank you. Our family comes direct from the Isle of Skye and formerly from the Isle of Lewis. I shall certainly appreciate any additional information concerning the name.

Yours very sincerely,

J. J. McSWAIN.

ISLEWORTH-ON-THAMES, ENGLAND, February 23, 1936.

Mr. McSWAIN.

DEAR SIR: The ignorance of American politicians is almost unbelievable. And yet I don't blame you; you were probably at the mercy of some crude and infamous news agency.

You state in Congress that the British Navy made a gesture to stop Italian transports going through the Suez Canal. This is hopeless misstatement. The canal is international, and England, alone of European countries, abides by her word. Neither did the British scatter under threats from Italy, breakers of their every pledge. The fleet is quite safe and concentrated, thank you.

I feel that you ought to contradict your statement that England contemplated closing the Suez Canal. You, I hear, are a gentleman; and contradiction of such gesture would only be the act of a gentleman. We in England marvel that a man in your exalted position could be capable of such a loose statement. I hope that you will do this, if only in view of the blood bond between two great nations. Remember McSwain is as old as any name in this "lil' ole isle."

Sincerely,

HUGH BLAKER.

COMMITTEE ON MILITARY AFFAIRS

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs may have permission to sit during sessions of the House today and tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. STACK. Mr. Speaker, I ask unanimous consent to address the House for 15 minutes tomorrow immediately after the reading of the Journal and the disposition of matters on the Speaker's table, to answer an attack made upon my political record by a certain publication.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, may I ask the majority leader if we are not to have general debate tomorrow on an appropriation bill?

Mr. BANKHEAD. Mr. Speaker, in reply to the question of the gentleman from Massachusetts I may say it is our expectation to take up the legislative appropriation bill tomorrow.

Mr. MARTIN of Massachusetts. Then what would be the reason for a special order?

Mr. BANKHEAD. I do not know of any particular reason for it.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EKWALL. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes at the present time.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. EKWALL. Mr. Speaker, it was with utter amazement I listened to my colleague from eastern Oregon [Mr. PIERCE] on Friday when he took the Well of the House in defense of the Columbia Broadcasting System for granting, as he stated, "the use of their magnificent facilities to the leader of the Communist Party to tell his story." He informed us that he was in no manner, shape, or form a Communist, and that the roots of his family go deep into the first settlers and the first families on American shores. He then stated that he believes in free speech and the free discussion of public questions. Yet we have the anomalous situation of the gentleman recently becoming disturbed over the taking of so-called "straw ballots." Is not the taking of such ballots a form of free speech and an opportunity of expressing an opinion on a public question?

My father and mother emigrated from the Scandinavian peninsula something over half a century ago, coming to the United States in an emigrant ship. They could then neither read nor write nor speak the English language. It was necessary for my father to procure work in the logging camps of northern Michigan in order to care for his family. I am proud to say that within a very few years, probably as quickly as he could pass the necessary examinations, my father was admitted to citizenship in this country—in fact, on July 30, 1894. When he became a citizen of this country he took an oath to support the Constitution of the United States of America and renounced and abjured all allegiance and fidelity to every foreign prince, potentate, state, or sovereignty whatever. My father was proud of his citizenship; he felt, as I feel, that the title of "citizen of the United States" is the highest honor that can come to any man or woman in this world—more noble than that of "chevalier of the Legion of Honor" of France, and infinitely more to be desired than the title of "Knight of the Star and Garter." My parents came to this country freely and voluntarily, and thanked God very often that they had had the privilege of giving to their children and their children's children the vast and limitless opportunities which are everywhere around us today. They left their native soil so that their loved ones might have a better chance in life. While they could not forget their friends and associations and background there, they were willing to bring whatever they had to our shores and to cast their lot in the crucible that is the United States of America.

LICENSE CONFUSED WITH FREE SPEECH

I am nonplused when men who should distinguish the line of demarcation between freedom of speech and press and that of license seem to confuse them. I would rather live in a country with no government at all than to be deprived of freedom of the press. I would much rather be a man without a country than to be denied freedom of speech. But I do not believe that freedom of speech or press should be carried to the point where one can openly and notoriously advocate the overthrow of our Government, vi et armis, by force of arms and violence, without being accountable to that Government. Why any normal man would advocate throwing open the radio facilities of our country to Communists to spew their vile propaganda broadcast is more than I can comprehend. It is true that the vast majority of our people are so constituted mentally that they will not take heed of these untruths; they will not be affected by it in the least, but there are always some who are honestly misled. Through force of circumstances, by reason of suffering and hardships, they have become discouraged and disheartened, and are thus more easily swayed by false prophets, and their minds are more fertile for the slimy seeds of disaffection being constantly spread by the Communists.

Mr. Speaker, our Constitution and laws provide ample means for the peaceable change of our form of government, if a majority of our people so desire; it is not necessary for these Communist vultures in human form to resort to their

infamous teachings. I call them vultures because the vulture is the only living thing that I know of that will befoul its own nest.

#### COMMUNISM IS WAR

We have recently passed a neutrality law in this House. Its purpose is to keep us out of war. Those of us who know what war is do not want to see our country bled white again, and I am sure that this Congress would do everything possible to keep us out of war; but, in God's name, what is communism but war?—war of the bitterest and most relentless kind! It is war against orderly government; against every provision of our Bill of Rights; against freedom of the press and freedom of speech; the right of lawful assembly; freedom to worship God; and all the other rights our ancestors have fought and died for on a thousand far-flung battlefields throughout the ages. Communism is war against God and the church and the sanctity of the home and the fire-side; it is regimentation of the most vicious and brutal sort. [Applause.] It means stifling the ambitions of men and women and bringing them down to the dead level of mediocrity—yes, to the level of the beasts of the field and forest.

If in time of war one were to lend aid and comfort to the enemy, what is the penalty provided by our law? Our law provides that one guilty of treason—that is what it is, treason—shall pay the extreme penalty—he shall suffer an ignominious death. Mr. Speaker, the gentleman says, "Let the Communists tell their story over our network of radios"; what story? They have but one story; they have but one cry—destruction! A moron named Stalin is their god—a man whose heart is as cruel as the grave, and one who rules his country with a relentless and grisly hand. I am wondering if the gentleman would advocate the use of the radio in advising the listeners to indulge in the general and indiscriminate use of narcotics. Would the gentleman advise the use of the radio to urge drivers of vehicles no longer to heed traffic laws, but to drive through streets crowded with children as they pleased, without regard to safeguards, speed, or any other precautionary measures? Or would he have the radios used to advise prisoners in our penal institutions to kill the guards at the first opportunity and make a break for liberty? These uses, I take it from the speech of the gentleman, would be interpreted by him as in the interest of free speech. Yet such harmful advice would be as nothing compared to this communistic propaganda. Have we forgotten the fable of the kindly peasant who upon seeing a snake frozen and helpless took compassion on it and placed it inside his blouse. As the story goes, the snake upon being revived buried his poisonous fangs in the heart of his benefactor. That is exactly what will happen to us if we temporize with such vermin as these Communists.

#### OREGON CRIMINAL SYNDICALISM LAW

Some years ago I presided over the trial of a case in which a Communist was prosecuted under the Oregon criminal syndicalism law, which the gentleman from Oregon [Mr. PIERCE] boasts of voting against when he was a member of the Oregon Senate a number of years ago. The salient parts of that law read as follows:

Any person who, by word of mouth or writing, advocates, affirmatively suggests, or teaches the duty, necessity, propriety, or expediency of crime, criminal syndicalism, or sabotage, or who shall advocate, affirmatively suggest, or teach the duty, necessity, propriety, or expediency of doing any act of violence, the destruction of or damage to any property, the bodily injury to any person or persons, or the commission of any crime or unlawful act as a means of accomplishing or effecting any industrial or political ends, change, or revolution, or for profit \* \* \* is guilty of a felony. (1930 Oregon Code, sec. 14, 3112.)

Criminal syndicalism is hereby defined to be the doctrine which advocates crime, physical violence, arson, destruction of property, sabotage, or other unlawful acts or methods as a means of accomplishing or effecting industrial or political ends or as a means of effecting industrial or political revolution or for profit. (1930 Oregon Code, sec. 14, 3110.)

Sabotage is hereby defined to be malicious, felonious, intentional, or unlawful damage, injury, or destruction of real or personal property of any employer or owner by his or her employee or employees, or any employer or employers, or by any person or persons, at their own instance or at the instance or instigation of such employees, employers, or any other person. (1930 Oregon Code, sec. 14, 3111.)

If one is willing to conduct himself in a decent and law-abiding manner, this law can hold no terror for him. During the course of this trial dozens of Communist pamphlets were introduced in evidence advocating in words that any normal 10-year-old child could understand, the violent and forcible overthrow of our Government; urging our soldiers, sailors, and marines to turn their guns on their officers; advising others to foment strikes and to commit sabotage. Yet the Communist witnesses had the effrontery to testify under oath that the revolution they referred to in these pamphlets was an ethereal one, sweet and gentle and lovely, with no physical violence or danger to anyone—merely a going into a sort of pleasant trance, during which the transition from a republic to a communistic state would take place.

#### OUR GOVERNMENT BEST YET DEvised

I cannot subscribe to such theories; I cannot acquiesce in such practices; I prefer to cling to the more old-fashioned ideas of my parents. They taught me at their knees that ours was the greatest Government on earth—not perfect, but nevertheless the best one yet devised; I desire to pass this truth down to my children; and I do not want them thereafter to be in position to doubt me by being able to turn on the radio and listen to a treasonable communistic debauchery of liberty and justice and democracy. [Applause.]

Mr. Speaker, the gentleman stated in his speech, "bureaucracy breeds communism." To this statement I fully subscribe. He is but reiterating a statement which I have heretofore made. I am pleased to have a gentleman from the other side of the aisle make this statement also, because it proves that it is no partisan view.

Apropos of this situation, I paraphrase the words of the author of *The Deserted Village*:

Ill fares the land,  
To hastening ills a prey,  
Where bureaucrats accumulate,  
And men decay.

[Applause.]

#### SUPREME COURT—N. R. A., A. A. A., AND T. V. A.

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MAVERICK. Mr. Speaker, yesterday I read an article in the Sunday Star, of Washington, D. C., entitled "Many Issues Still Pending", by John H. Cline. In it he brings up the eternal issue of the Supreme Court of the United States and its powers. The opinion he mentions concerns the Tennessee Valley Authority project and the connection of that project with the public production of power and the building of dams. Essentially T. V. A. is important as a great general move to conserve our national resources. Mr. Cline says:

Are such gigantic undertakings as the Norris, Bonneville, and Grand Coulee Dams destined to become nothing more than abandoned monuments to a misguided governmental policy or will they be carried through to their ultimate purpose as the nucleus of a vast, coordinated power system forming the basis for incidental irrigation, flood control, and reforestation work?

Again thinking of this wholly in connection with conservation and other essential issues, the constitutional issue must be met sooner or later. Will we meet it now or will we meet it when it is too late? Suppose the Supreme Court should hold some great Government project costing tens and even hundreds of millions of dollars unconstitutional? We then must have a Nation-wide campaign on the Constitution, which might last for years and years, and in the meantime these hundreds of millions of dollars of investments go to waste and the Government falls into chaos. In other words, by the exercise of a questionable power the Supreme Court would tell the Government after spending hundreds of millions, and with millions of human lives largely dependent upon it, that such projects must stop and the millions of human beings must do without and give up what their elected representatives provided for them.



## QUESTION IS POWER OF SUPREME COURT, NOT MERIT OF ITS DECISIONS

All of which makes me think that very little of the discussion of the Supreme Court has been on the essential points. For it has been submitted to me that since the T. V. A. decision has been delivered favorably, many of those who oppose the wide powers of the Supreme Court are now satisfied. This is an indication, of course, that some of those who praise the Supreme Court, and some of those who condemn it, are not discussing it from the essential problem of parliamentary and judicial government. The problem is not whether the Supreme Court did morally right in the N. R. A., the A. A. A., or the T. V. A. decisions; it is a question whether the Supreme Court shall continue to exercise a power not given it in the Constitution of declaring acts of Congress void or unconstitutional or, to be fair, the point is whether, if a constitutional amendment is found to be necessary in order for Congress to have certain powers, whether we will propose such powers or just go on with a hope that we can muddle through without meeting the fundamental issue.

Possibly Congress was entirely wrong in enacting the T. V. A.; possibly it was right in enacting the N. R. A. and A. A. A. or vice versa; the point is whether the Supreme Court should interfere with or approve of acts of Congress not in violation of specific provisions of the Constitution and which are for the general welfare of the people of the United States. In effect, the actions of the Supreme Court constitute a final veto of the elected representatives of the people—this veto being permanent, since the members of the judiciary are elected for life, and absolute, in contra distinction to a veto of the President, as there is no veto upon them.

## MUST WE ALWAYS HUNT AN EXCUSE TO MAKE A LAW CONSTITUTIONAL?

Going further with the T. V. A. decision, we must think of its own limitations. To quote Mr. Cline in his article in the Star further:

The fate of our Federal power system, forerunner of an epochal attempt to harness the turbulent energy of this Nation's waterways, has emerged from the controversy following the recent Supreme Court decision in the T. V. A. case as one of the most vital issues confronting the country.

In substance, the Supreme Court held that Wilson Dam, key-stone of the T. V. A., was constructed for a "constitutional purpose", since it was adapted to the purposes of national defense and calculated to improve the navigability of the Tennessee River. This basic determination having been made, the Court went on to rule that the Government had a right to sell surplus power generated incidentally at the dam and convey it to distant purchasers by leasing transmission lines.

The fact that the ruling was restricted to the leasing of transmission lines for the sale of power from Wilson Dam was hailed by critics of the electrification program as the "joker" in the decision. They pointed out that Wilson Dam was a wartime measure and argued, therefore, that the ruling could not be extended by analogy to the newer dams in the Tennessee Basin. The latter, they said, must stand by themselves and eventually be thrown out on constitutional grounds because they are peacetime projects.

National defense, navigability of streams are unquestioned constitutional purposes. Must we only rely on these purposes? Must all the friends of the T. V. A., instead of coming plain out and saying that they are attempting to do something for the general welfare—which, by the way, is provided for in the Constitution—evade the real truth; also that the creation of the Tennessee Valley Authority was for the building of dams for cheap public power and the prevention of soil erosion, reforestation, conservation, and for the benefit of the people who live in the United States?

I think the T. V. A. is for national defense and to promote navigation; and I can easily show that no nation can have national defense unless it prepares in peacetime to live like human beings. For that matter, practically anything can be done on the basis of national defense. But the point I am getting at is that the American people—who discuss the Supreme Court—do not get down to the main questions of parliamentary government and constitutional government.

My only conclusion in reference to this is that the Supreme Court question is not being met now, either by the Republican or Democratic Party, or for that matter, by any other party. The question ought to be met now.

## WASHINGTON FIRE HAZARD

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. STEFAN. Mr. Speaker, the Knickerbocker Theater tragedy of years ago, when 90 people lost their lives, will be a drop in the bucket compared to what Washington theatergoers are threatened with today because of the terrible fire hazards in these theaters due to the permission of smoking by certain theater owners.

Smoking is allowed in several of the downtown theaters. It is allowed because the management feels that an advertisement that "smoking is permitted" will bring them more patronage. They are playing with fire. I doubt if it brings them any additional business. The quality of entertainment is what brings them the business. People do not go to these theaters because they are allowed to smoke there.

I predict that unless this smoking is immediately prohibited the District Commissioners and the theater owners will very soon face the responsibility of being liable for the deaths of humanity. Some of these days or nights during the crush of entertainment-hungry people, there will be the cry of "Fire." There will be a stampede. People will be trampled to death under the feet of a panic-crazed crowd of humanity rushing for the exits.

There is no law against smoking in Washington theaters. That fact alone would startle firemen and city officials in the smallest town of my State of Nebraska. The firemen and city officials of Nebraska towns do not allow smoking in the theaters there. They know that smoking is one of the greatest fire hazards known to fire fighters. A lighted cigarette stub thrown away carelessly, as it is done in Washington theaters, will result in the loss of life and property. The Washington Fire Department cannot do anything about it. I complained to Chief Schrom about this great fire hazard. He admits the hazard, but he tells me that Washington officials have "been unable to stop it." There is no District law against it.

I am so impressed with this hazard that I plan to introduce a bill in the House soon to prohibit smoking in Washington theaters.

Washington theaters should not wait for the enactment of this bill. For the sake of human life, they should immediately prohibit the continuation of this fire hazard which is conceded by the fire-fighting officials of the District. The excuse that the permission of smoking in theaters increases revenue is a very selfish one and an excuse which will never be forgiven by an enraged public should fire started by a lighted cigarette stub in one of these theaters cause the loss of human life.

Long lines of people waiting to get into Keith's Theater Friday night resulted in an overflow audience for very fine entertainment. People were jammed into every seat. Some stood in the aisles waiting for vacant seats. People smoking cigarettes and cigars blew smoke into the faces of women, causing fits of suffocating coughs. People with lighted cigarettes burned holes in valuable clothing. Smoking made the atmosphere blue and hazy. People strained their eyes to look through this smoke screen at a wonderful picture. Lighted cigarette stubs were thrown everywhere on the floor. One scream of "fire" or any alarming cry would have caused a panic and a stampede. I join other Congressmen in protesting against this fire hazard.

From what Washington officials have told me, they favor such a law. But if the theater owners have the interest of the public at heart, they should not wait for a law to be enacted to stop them from continuing a hazard which may result in the death of the people upon whom they depend for their existence. If theater managers wish to merit the friendship of the theatergoing public, they will act without outside pressure.

## LEAVE TO ADDRESS THE HOUSE

Mr. PIERCE. Mr. Speaker, I ask unanimous consent that on next Wednesday, after the reading of the Journal and

the disposition of matters on the Speaker's table, I may be allowed to address the House for 15 minutes in reply to my colleague [Mr. EKWALL].

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

AN OUTSTANDING SERVICE RENDERED BY THE HONORABLE WILLIAM M. COLMER OF MISSISSIPPI

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mrs. NORTON. Reserving the right to object, and I shall not object to this request; but this is District day and we wish to dispose of the District business. I shall object to any further requests.

Mr. DIRKSEN. Mr. Speaker, I am constrained to object until we dispose of the District business.

Mrs. NORTON. Let me say that we have only two bills on the calendar, and I think it is only fair that this request for unanimous consent be granted.

Mr. DIES. Some of us think we ought to have a little time this morning, otherwise we may be constrained to make points of no quorum.

Mrs. NORTON. How many unanimous-consent requests have been made? I want to be fair with Members.

Mr. DIES. My colleague from Texas wants 5 minutes and I want 10.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. PATMAN] to proceed for 5 minutes? [After a pause.] The Chair hears none.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the services of WILLIAM M. COLMER, and insert two or three short letters and some excerpts from the CONGRESSIONAL RECORD, and to revise and extend the remarks I now have the privilege of making.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATMAN. Mr. Speaker, I have asked for this time in order to say a few words about the valuable and constructive services rendered by my good friend and colleague WILLIAM M. COLMER, of Mississippi, in behalf of the payment to World War veterans of the remainder due them on their adjusted-service certificates.

I have had the pleasure of associating with and becoming intimately acquainted with Congressman COLMER since he came to Congress, and I feel like it is my duty to disclose a service on his part that brought order out of chaos when it looked like those of us who favored the payment of the adjusted-service certificates would engage in a free-for-all battle, divide our ranks, and possibly meet with defeat. When Congress met January 3, 1936, several bills were pending and new bills were introduced for the payment of the adjusted-service certificates. The so-called Patman steering committee of 22 House Members and the other groups were unable immediately to reconcile our differences.

Considering the fact that our group has always been successful in the House in getting our proposal adopted, it was certainly necessary that we all get together, work shoulder to shoulder, for the common cause. Our first consideration was, and always has been, the full and immediate cash payment of the certificates without deduction of interest on loans since 1931. After many conferences, many of them lasting way into the night, when everything in the direction of a compromise seemed hopeless, it was suggested by Congressman COLMER that we make one more effort by appointing a small committee of the Patman committee to confer with opposing factions for that purpose.

The suggestion was placed before the group in the form of a motion, which was carried. He was appointed chairman of that committee. His committee, after much deliberation with opposing factions, came to an agreement. This agreement resulted in the Vinson-Patman-McCormack bill, a complete understanding and agreement among the different factions, which not only caused complete harmony among the

proponents of the legislation but caused early passage in the House and Senate and its enactment into law.

No Member of Congress has been a more loyal and faithful friend of the veterans and their dependents than Congressman COLMER, and this achievement places those of us who have sponsored this legislation for years, even before he came to Congress, and the veterans under everlasting obligations to him. We owe him a debt of gratitude. Several factions working in different directions, as we were, represented wrecking crews. He made the greatest contribution toward converting these wrecking crews into one great construction gang which permitted us to very quickly speed on to victory.

I desire to place in the CONGRESSIONAL RECORD along with my remarks expressions of gratitude and appreciation from others who are in a position to know about his service in connection with the great compromise mentioned.

THE AMERICAN LEGION,  
Indianapolis, Ind., February 11, 1936.

Hon. WILLIAM M. COLMER,  
House Office Building, Washington, D. C.

DEAR MR. CONGRESSMAN: Since passage of the law authorizing payment of the adjusted-service certificates I have been on a very strenuous speaking tour, and this is my first opportunity to acknowledge with deep appreciation the splendid part you played in the fight for the enactment of this law.

I am personally appreciative of the many courtesies you showed to me and to the other representatives of the American Legion, and I know my organization will be appreciative of the fine cooperation you gave and the extremely helpful work you did in smoothing out the differences that naturally arise in connection with such important legislation. I feel that you were a strongly contributing factor to the final elimination of such differences and that thereby you contributed greatly to our success.

For that I know you deserve and will receive the grateful appreciation of the service men everywhere.

Sincerely yours,

RAY MURPHY,  
National Commander.

VETERANS OF FOREIGN WARS OF THE UNITED STATES,  
Washington, D. C., February 5, 1936.

Hon. WILLIAM M. COLMER,  
Member of Congress, Washington, D. C.

MY DEAR CONGRESSMAN: In behalf of the Veterans of Foreign Wars of the United States I wish to inform you of our deep appreciation for the part that you played in bringing about the passage of the so-called bonus legislation.

For years you have been one of the key men in this fight, especially during this session of Congress, giving us advice and counsel which has been very valuable to the officers of this organization. To you belongs much of the credit relative to the success that we had with this legislation.

In conveying to you the sentiment of our membership I am confident the veterans of Mississippi hold you in the same high esteem as we who have had the privilege of working with you day in and day out.

Thanking you again and assuring you of our intention to reciprocate in any possible way, I remain,

Very sincerely,

JAMES E. VAN ZANDT,  
Commander in Chief.

HOUSE OF REPRESENTATIVES, UNITED STATES,  
COMMITTEE ON WORLD WAR VETERANS' LEGISLATION,  
January 24, 1936.

Hon. WILLIAM M. COLMER,  
Member of Congress, Washington, D. C.

DEAR BILL: I want to thank you for your unfaltering support of the bill to pay the soldiers' adjusted-service certificates.

This will not only benefit the soldiers and discharge an obligation on the part of the Government but, in my opinion, it will put money into circulation and help restore prosperity to the American people generally.

In my opinion we will have better prices for cotton and other farm commodities after this money gets into circulation than we have had for a long time.

I tried to see you on the floor this afternoon, but missed you, so I am dropping you this note as an expression of my gratitude for your loyal support of this worthy measure.

Sincerely your friend.

J. E. RANKIN,  
Chairman, Committee on World War Veterans' Legislation.

[Excerpt from speech of Hon. JOHN W. MCCORMACK, of Massachusetts, in the House of Representatives, Jan. 9, 1936]

I am pleased to be a cosponsor of this bill with my two distinguished colleagues and friends, the gentleman from Kentucky [Mr. VINSON] and the gentleman from Texas [Mr. PATMAN]. Both of my friends and colleagues have fought steadfastly for years to secure the passage of such legislation. The action of the gentle-



man from Texas [Mr. PATMAN] in joining in a united front assures the passage of the pending bill by an overwhelming vote and its probable enactment into law. During the several conferences which took place, which resulted in unity among the friends of this bill in the House, many Members played an important part therein. There are too many to mention by name. Furthermore, there are many other Members who have fought just as hard for the passage of such legislation such as we are considering today who are also entitled to the future appreciation of the veterans, their families, and friends. However, there is one of our colleagues who played such an important part that I feel warranted in paying him a tribute. I refer to my friend and colleague from Mississippi [Mr. COLMER], who, as chairman of the committee representing Mr. PATMAN and his associates, by his patience and advice contributed greatly to the present situation, where all of the friends and supporters of this legislation are united and not divided.

[Excerpt from remarks of Hon. FRED VINSON, of Kentucky, in the House of Representatives, Jan. 13, 1936]

In conclusion, I want to express my appreciation for the splendid cooperation we have received from the members of the Committee on Ways and Means. They, at all times, have been very considerate of the veterans' interests. Particularly do I want to thank our chairman, Hon. ROBERT L. DOUGHTON, who has been of most valuable assistance in the preparation of the bill and its expeditious consideration. The veterans of this country are indebted much to Speaker BYRNS for his friendly cooperation—a highly important service—in our arriving at "a united front." Also, we must not overlook the friendly attitude of the important Committee on Rules, which has enabled the bill to come up at this time. The committee appointed by the Patman conference, composed of Congressmen COLMER (chairman), of Mississippi; CONNERY, of Massachusetts; HANCOCK, of North Carolina; DIES, of Texas; SCRUGHAM, of Nevada; and BERLIN, of Pennsylvania, assisted materially in enabling this measure to come to the floor of the House with a united front, and their efforts in this respect are appreciated.

#### NEWSPAPERS THREATENED

Mr. PATMAN. Mr. Speaker, I have asked for this time to invite attention to the kind of propaganda that is going out from the banker-controlled corporate chains against the Robinson-Patman bill that will give all retailers the same rights and privileges. The Institute of Distribution, 570 Seventh Avenue, New York, has issued a mimeographed statement and sent it to the newspapers of the country, marked for immediate release, which is headed, Who Pays for Advertising? The article indicates that it originates in New York, with a blank date. In fact, it commences with: "New York, March —." This statement, which indicates that it is for publication in the newspapers, is clearly for the purpose of threatening the newspapers of this country. It discloses that one concern will soon spend \$9,500,000 for advertising their stores "this year in the newspapers of this country." The statement further indicates that the large corporate chains and big department stores are the principal advertisers and the intimation is inescapable that the newspapers should consider this enormous amount of advertising they are receiving and oppose the Robinson-Patman bill. Mention is made of the bill in this statement. In other words, the newspapers are told in this statement that if they expect to get a part of this \$9,500,000 from one firm this year in advertising they will have to make a bid for it by opposing the Robinson-Patman bill. The statement says:

Actually if this Robinson-Patman bill should be enacted in its present form it would prevent the full economies of the most efficient methods of production and distribution from ever reaching the consumer. Certainly the American people cannot afford to pay such a subsidy for the benefit of a relatively small group of wasteful and extravagant distributors. This bill should be promptly voted down.

#### CUSTOMERS OF ALL STORES TO BE BENEFITED

In truth and in fact, if the Robinson-Patman bill is enacted into law, all merchants will receive the same prices from the manufacturers that the chain stores now receive. This should not only allow the consumers to save a great deal of money, but will cause competition to be keener and the number of retail outlets to reach the consumer with lower-priced goods will be considerably increased. It is not a subsidy for a small group, but it will be giving all independents the same prices, so that all their customers will be benefited along with the chain customers.

#### STATUS OF BILL

The Robinson bill, S. 3154, was reported favorably—unanimously—by the Senate Judiciary Committee. It is now

pending before the Senate and is expected to pass that body in a short time. The Patman bill, H. R. 8442, is now pending before the Judiciary Committee in the House. This committee had hearings before the full committee. It was then referred to a subcommittee, of which Congressman HUBERT UTTERBACK, of Iowa, is chairman. I know that Congressman UTTERBACK and his subcommittee have worked for weeks and weeks on this legislation, making sure that every step that is taken in this bill is the right step in the interest of the consumers, the manufacturers, retailers, wage earners, farmers, and all concerned. A report from this subcommittee to the whole committee and from the whole committee to the House is expected within a reasonable length of time. The Judiciary Committee, and especially the chairman of the committee, the Honorable HATTON W. SUMNERS, and the chairman of the subcommittee, the Honorable HUBERT UTTERBACK, are to be commended for the great time and effort they have expended in the consideration of this legislation. No committee in this House has ever worked harder to try to do exactly what is right under all the facts and circumstances in the consideration of a bill than has this committee in the consideration of this bill.

#### NEWSPAPERS AND ADVERTISING

In regard to advertising, as it is now, it is a difficult matter to get some of the large newspapers to carry any information in regard to this legislation, because the large advertisers do not want them to carry this information; and if I were in the newspaper business, I suspect that I would take a similar position if a few advertisers had the right to say whether or not I should continue in business or should stop business. If I were in the newspaper business, I would probably be very reluctant to put anything in my newspaper that would antagonize these large advertisers who were keeping me in business. For that reason all the newspapers are somewhat intimidated, and I do not think it is right for this organization to further intimidate them by stating the amounts they expect to spend over a certain length of time, running into millions and millions of dollars, and insinuating if they do not get behind them and help defeat the Robinson-Patman bill they will see that the newspapers do not get any of that money. That is the insinuation. We want this bill passed at this session, which will give independent merchants in this country no special benefits, but just a right to live and exist and get a fair profit and curb monopolies that are destroying the purchasing power of the wage earners and the farmers. [Applause.]

#### FARMERS' BUYING POWER DESTROYED

A few days ago I received a letter which was written March 5, 1936, by Mr. J. M. Harris, route no. 3, Texarkana, Tex., in which it is stated:

The chain stores have done great injury to the small farmers and truck growers in this section. A few years ago truck growers and gardeners could make a living and a little more, but with the advent of the chain store this was changed.

As an illustration, let us say a farmer goes into a chain store with three crates of 24 boxes each of strawberries. The chain-store buyer asks the price. The farmer says he wants \$3 per crate. The buyer pays it. Then, after the farmer leaves, the berries are placed on sale ticketed "10 cents per box." A second farmer comes in with five or six crates. He wants \$3 per crate. The buyer says, "Why, I'm selling them at \$2.40 per crate—10 cents per box." The farmer must take about \$2 per crate, and in a few days they are \$1 per crate. So of all other products.

This plan was never worked until the chain store came. The chain-store buyer also looks up the farmer with a large patch of berries or other products and pays him a lump sum in cash for the crop and puts the price down. With several chain stores in the city following the same plan, the surrounding territory is forced to accept starvation prices. I have known of a truck load of English peas, for instance, being sold at 2 cents per pound, though the retail price was 6 cents or 7 cents when it came in. It keeps the farmer down.

#### CRITICS OF ROBINSON-PATMAN BILL ANSWERED

A few days ago a statement was carried in the daily press, which was referred to as a Memorandum Put Out by Chain Interests, in regard to the Robinson-Patman bill, which almost wholly misrepresents the facts. It is said the enactment of this law will cost consumers almost \$750,000,000 a year. The truth is that it will save consumers billions of dollars a year.

When all independent merchants can receive the same prices from manufacturers that the banker-controlled retailers receive, competition will be preserved and the consumer protected. Prices will be lower instead of higher. Instead of it being a bill to subsidize middlemen, it is a bill to prevent monopoly, protect independent business, promote individualism, restore equality of opportunity, and encourage local ownership and control of local business rather than absentee ownership and control. Instead of freezing the price level as stated by the anonymous statement, it will cause keen competition and a premium on efficiency of distribution.

The only interference with business will be to prevent monopoly, protect the consumers, farmers, and wage earners; and to put all retail distributors upon the same floor with the same competitive rights.

This bill has the opposition of all cheaters, chisellers, bribe takers, bribe givers, and the greedy who seek monopolistic powers which would destroy opportunity for all young people and which would eventually cause Government ownership, as the people of this country will not tolerate private monopoly.

The bill has the support of those who believe that competition is the life of trade; that the policy of live and let live is a good one; that it is one of the first duties of Government to protect the weak against the strong and prevent men from injuring one another; that greed should be restrained and the Golden Rule practiced.

#### PLEDGE OF DEMOCRATIC PARTY

The Democratic platform adopted in Chicago in 1932 contained the following paragraph:

We advocate the strengthening and impartial enforcement of the antitrust laws to prevent monopoly and unfair trade practices, and revision thereof for the better protection of labor and the small producer and distributor.

The Robinson-Patman bill will restore many of the teeth that have been taken from the antitrust laws by the Supreme Court and make the antitrust laws effective. It will strengthen and permit the impartial enforcement of the antitrust laws. It will be a long step in the direction of preventing monopoly and unfair trade practices.

The platform closed with the pledge of the nominees of the convention to the philosophy of equal rights to all, special privileges to none. That is exactly what our bill does. It grants equal rights to all and special privileges to none.

#### PURCHASERS OF 90 PERCENT SHOULD BE GIVEN PRICES EQUAL TO THOSE WHO PURCHASE 10 PERCENT

Under the present set-up the banker-controlled corporate chain in a small town that is doing 10 percent of the business of that town is obtaining better prices and more concessions from the manufacturer than the other merchants—Independents—who are doing 90 percent of the retail business in that town. Our theory is that if the manufacturer can sell an article to the corporate chain in that town for \$1, it can also afford to sell the other retail merchants the same article for the same price. This bill will not prevent but will encourage manufacturers to compete among themselves, but each manufacturer will have to do business with his customers open and aboveboard and treat them all alike.

#### BEWARE OF THE WOLF IN SHEEP'S CLOTHING

A powerful lobby has gone into action against our bill. Much money is being spent to hire people with influence in an effort to try to persuade Members of Congress in both the House and Senate to vote against this bill. Money will be spent for publicity and advertising in all forms. Members of Congress, however, are becoming accustomed to the practices, under-handed and undercover methods used by the great interests who cannot defend their cause in the open. They always seek darkness rather than light. It is not unusual for Members of Congress to be approached by one who claims to be an independent business man and who claims to be in favor of legislation along this line but objects to the passage of this bill. I have had an occasion to have some of these lobbyists run down and when caught it was discovered that they are mere fronts for the banker-

controlled corporate chains. They claim to be merchants from down South or some other section of the country, when in truth and in fact they are representing Wall Street interests directly. Many of the niches in the corridors of the Capitol and Office Buildings for Senators and Representatives are occupied by representatives of greedy interests, who have with them these innocent-looking turncoats who are shoved out to accost a passing Congressman and pretend he is an independent business man, very much in favor of some provisions of the Robinson-Patman bill, but—but—and so forth. One organization claims to represent a group of independent business men. Their leaders are here opposing this bill. The special committee investigating lobbying activities, of which I am chairman, disclosed that this same group has been subsidized by the banker-controlled corporate chains, and is now and has been in the past advocating and opposing legislation in accordance with the wishes of those who have subsidized them. The real independent merchant and business man is in favor of this bill. It is in the interest of the consumers, wage earners, farmers, and the general welfare of the people.

Mr. DIES. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

#### THE LOBBYING RACKET AND TAINTED CAMPAIGN CONTRIBUTIONS MUST BE STOPPED

Mr. DIES. Mr. Speaker, ladies, and gentleman of the House, the Committee on Rules, upon which I have the honor to serve, was directed by the House to investigate any and all charges of attempts to intimidate or influence Members of the House of Representatives with respect to the bill S. 2796 or any other bill affecting utility-holding companies during the Seventy-fourth Congress.

Immediately upon the adoption of this resolution the committee began hearings, which were continued from time to time until a few days prior to the adjournment of the last session. The hearings have been printed and are available, and the committee has filed its preliminary report.

The hearings disclosed a vicious condition in respect to professional lobbying. Practically all the holding companies maintained in Washington representatives, either officials or counsel, during the period the struggle over the "death sentence" was raging. They carried on a well-organized and well-financed campaign intended to prevent the enactment of any legislation deemed inimical by the holding companies. Millions of dollars were spent in an attempt to defeat this legislation. In the case of the Associated Gas & Electric Co. and its affiliates the methods employed to defeat this legislation should be condemned in the strongest language possible. Members of Congress received thousands of telegrams and letters bearing fictitious signatures of people who did not exist, and every attempt was made to create the impression in Congress that there was a widespread and general opposition to this legislation.

I do not mean to imply that all the holding companies engaged in this character of propaganda. Neither do I wish to criticize stockholders or other interested persons who presented their honest views to Congress. Every Congressman welcomes the views and suggestions of his constituents, and the right of petition is a fundamental and sacred right guaranteed under our Constitution. But this does not justify many of the methods used in connection with the holding-company bill and in respect to other measures. I cannot go into details in regard to some of the methods employed to create an artificial impression in reference to public sentiment and to, therefore, influence the vote of Members of Congress. The press of the Nation has carried this information in detail and most of the people are familiar with it. Everyone is familiar with the threats of KRAMER and MCGILL to put a candidate in every congressional district to oppose we Members of Congress who favored the strict regulation of utility companies.

While it is helpful to investigate these conditions, and to expose to the light of day some of the nefarious practices that were engaged in by selfish and unscrupulous lobbyists, it is more important to take the necessary steps to prevent



this in the future. Every thinking citizen will agree that to unloose upon Congress a highly charged avalanche of propaganda is unwholesome and inimical to the public interest. As our committee said in its report:

It seeks to impress upon the membership the sense of a popular uprising, when in fact it is an artificial product.

There is another evil which is equally as bad as this character of professional lobbying. I refer to the secret contributions received by candidates for office from selfish interests and tainted sources. This is one of the greatest evils that confronts this country. It has grown worse each year, until we have witnessed candidates who never made more than enough to live upon and who never saved anything, run for important offices and conduct the most expensive campaigns. We have seen such candidates establish elaborate headquarters in all the principal cities in the State, with an army of paid workers. We hear them make State-wide radio addresses that cost more money than the office will bring in 10 years. We know from the past history of the candidate that he did not make the money himself, and we are reasonably certain that he secured the finances from some selfish interest that had an ax to grind. In making these contributions the selfish donor expects a return of the amount contributed, together with compound interest.

The great Democratic President, Grover Cleveland, declared that a public office was a public trust. A candidate who accepts contributions from selfish and greedy interests that are looking for special favors, is unfit to hold the office and should be branded as a traitor to his country.

The people have a right to know where every candidate received money to conduct his campaign. With such information the people can determine whether or not the candidate is free and independent and capable of rendering patriotic service for the common weal. Every candidate should welcome a full disclosure of his financial condition and the sources from which he derived his campaign funds.

It is only when public servants are free and untrammelled that they can properly serve their people and their country. If they accept a public office knowing that they are hamstrung by secret obligations and ties, they are committing fraud upon the people who confide in them and treason to the best interest of their country. The very perpetuation of free government in America depends upon honest and independent lawmakers and administrators. [Applause.]

The corrupt officials of Rome did more to hasten its downfall than all other factors combined—and so it has been with every republic since the beginning of time. So long as the people can procure the services of honest and independent servants their liberty is secure and their institutions safe. But when self-seeking interests begin to place in positions of power and trust the creatures of their will, decay sets in and destruction follows.

There is no problem confronting our country so serious and vital as corrupt lobbying and politicians running for office on the money of predatory interests. It has reached the stage in this country when adequate and vigorous steps must be taken to insure that freedom from secret obligations and ties that defraud an unsuspecting electorate. Much has been said and written about this, and many investigating committees have denounced this growing evil. Many candidates have pledged the enactment of suitable laws, but nothing has been done. To expose a condition and to denounce it from the stump means nothing unless proper action is taken to correct the condition.

After listening to the amazing disclosures our committee decided that we could render no greater service to the country than to recommend and urge the passage of a law to require every individual, partnership, committee, association, group, or any other organization or group of persons who directly or indirectly solicit, collect, or receive money or other thing of value to be used in whole or in part to aid in the enactment or defeat of any legislation, or to nominate, elect, or defeat any candidate for the House of Representatives or the Senate of the United States, to file with the Clerk of the House of Representatives a complete and accurate statement of the total sum of all such contributions made or expended.

I cannot describe this bill in detail except to say that it has teeth in it and that it will prevent insofar as any legislation can the practices and conditions that I have heretofore described. Under this bill professional lobbyists must register with the Clerk of the House of Representatives and the Secretary of the Senate, and give to those officers in writing his name and address, the name and address of the persons by whom he is employed, and in whose interest he appears or works; how much he is paid and is to receive; by whom he is paid or to be paid, and furnish detailed information that will make his activities and connections matters of public record.

In addition to this, any person, corporation, association, or group who use funds to nominate, elect, or defeat any candidate for the House of Representatives or the Senate of the United States must disclose the full facts and make such contributions and expenditures a matter of public record. The bill carries with it a heavy penalty for those who violate its provisions.

Of course, Congress has no right to legislate in regard to any other candidates except those for the House of Representatives and the Senate of the United States. However, this bill will furnish an example which I sincerely hope will be followed by the legislatures of the respective States, including my own State.

While this bill will accomplish much, it is my intention to propose amendments to further strengthen it so that it will be impossible in the future for any amount of money to be spent in behalf of or against any candidate without this fact being made a matter of public record. Of course, selfish and self-seeking interests who contribute money to or spend it in behalf of candidates for public office will discontinue this practice when they know it will be exposed to the light of day. [Applause.]

There is nothing in this bill to curtail the rights and liberties of the people to present their views to their elected servants and to support or oppose legislation in every legitimate manner. But it will stop the lobbying racket which has become such a menace to free government in the United States.

Mr. Speaker, it is a great honor and privilege to serve the people in the Halls of Congress. The candidate makes a solemn covenant with his people. They confide their welfare, their interests, and the sacred institutions of government to him. As a matter of common decency he should be certain that there is no impediment to the faithful discharge of his duties. Unfortunately there are some who lack that high sense of public responsibility and ethics which should characterize every public official. There are some who are not willing to work hard, economize, and accumulate enough to run for public office. They prefer the easier method of seeking contributions to finance their campaigns. While I have never sought or obtained a contribution or any financial assistance in any campaign for office that I have ever made and do not intend to change this rule, I recognize that under some circumstances and from proper sources contributions may be justified. But even under these conditions I insist that these contributions be made public so that the people can decide for themselves whether or not the candidate was justified in accepting the contribution. Anything that is right can survive the sunlight of exposure. It is only shady transactions and questionable practices that must seek refuge behind the cloak of secrecy.

To guard against the evils of this practice every precaution should be taken. The voters are entitled to know certain facts before entrusting any office to a candidate. Among these facts are the following:

Where is he getting the money to make the race?

Is he under obligation, directly or indirectly, to any interest, bloc, or clique?

Are there any secret ties or obligations that he is withholding from the public?

Mr. BLANTON. Will the gentleman yield?

Mr. DIES. I yield.

Mr. BLANTON. There are two men in my district today arranging to run against me for Congress. Neither of them could finance his own campaign. I understand that one of

them is being financed by the public utilities and the other by the Townsend-plan supporters.

Mr. DIES. The gentleman will recall that Mr. Kramer testified it was the purpose of the utility companies to place a candidate in the field against every Member of Congress.

Mr. BLANTON. That was because I voted for the "death sentence" clause.

Mr. DIES. As the gentleman knows, I also voted in favor of the "death sentence" and the Rayburn-Wheeler bill. Has the gentleman ever been able to explain why some candidates, who have never made a success in the practice of law, and who the gentleman knows never made more than a living, can run for public office and finance an expensive campaign?

Mr. BLANTON. I cannot understand why it is that a lawyer who cannot win a case in a courthouse is paid fifty or one hundred thousand dollars as a retainer for seeing Members of Congress.

Mr. DIES. Does not the gentleman think it would be a wise thing for us to require all these lobbyists to register before the Clerk of the House of Representatives and state how much they are getting?

Mr. BLANTON. I certainly do; and I am backing the gentleman's proposition 100 percent.

Mr. RANDOLPH. Will the gentleman yield?

Mr. DIES. I yield.

Mr. RANDOLPH. In the State of West Virginia we have such legislation. They do have to register there before working for the interests of their organization.

Mr. DIES. The people are entitled to know who is furnishing the money for the candidate to campaign for office. They are entitled to know all the facts. Now that we are approaching a national campaign, in which it is predicted that millions upon millions of dollars will be spent, the people and the Congress are entitled to know who is producing this money and for what purpose and in whose behalf the money is being expended.

Mr. DUNN of Mississippi. Will the gentleman yield?

Mr. DIES. I yield.

Mr. DUNN of Mississippi. Is my friend being opposed this year?

Mr. RICH. Will the gentleman yield?

Mr. DIES. I yield.

Mr. RICH. I thought the law at the present time demanded that one must fill out expense account giving all receipts and expenditures. If everyone is honest in filling that out I think that will answer the purpose.

Mr. DIES. The gentleman knows that the law does not apply to the primary election.

Mr. RICH. That is right.

Mr. DIES. It only applies to the general election. In my country no money is spent in the general election. It is all spent in the primaries. Under the law of Texas the supreme court not long ago held that you could not compel a candidate to disclose where he got his money and how much of other people's money he spent in behalf of his candidacy.

Mr. BLANTON. Will the gentleman yield further?

Mr. DIES. I yield.

Mr. BLANTON. Answering my friend from Mississippi, if this public utility will keep their dirty money out of my friend's campaign over in the Orange district, he will be able to take care of all his opponents down there without any trouble.

Mr. DIES. My primary purpose is to call the attention of the House to this bill, because it ought to be passed. In my judgment it should be strengthened. The time should come, that whenever a candidate runs for office there should be a method of finding out where he gets his money. This thing of a man who never made more than a living in his life, who never made a success in the practice of law, suddenly becoming a candidate and having all sorts of money to spend in the campaign should be disclosed to the people. Anyone with an ounce of common sense knows that someone is furnishing money.

The people are entitled to know who that someone is. This House will not be true to the best interests of the

American people if we adjourn without placing upon the statute books adequate legislation to stop this lobbying racket; this thing of men imposing upon the credulity of businessmen; of pretending to have so much influence in Washington and coming up here and lying around the hotels drinking whisky, and then going back and saying, "I defeated the legislation" or "I passed the legislation." This is not to prevent people expressing their views in a legitimate manner, but it is to prevent this condition of racketeers preying upon the credulity and ignorance of people who do not know any better and think that they must maintain high-pressure lobbyists in the city of Washington to influence legislation.

This bill will help make this vital information available to everyone. With the unanimous backing of the Rules Committee it should pass Congress without any serious difficulty. Let us hope that in the course of time every State will follow this splendid example, and that an aroused public sentiment will drive from public life every man who does not place his country and its welfare above every other consideration. [Applause.]

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had—

*Ordered*, That the Secretary inform the House of Representatives that the Senate is ready to receive the managers appointed by the House for the purpose of exhibiting articles of impeachment against Halsted L. Ritter, United States district judge for the southern district of Florida, agreeably to the notice communicated to the Senate, and that at the hour of 1 o'clock p. m. on Tuesday, March 10, 1936, the Senate will receive the honorable managers on the part of the House of Representatives, in order that they may present and exhibit the said articles of impeachment against the said Halsted L. Ritter, United States district judge for the southern district of Florida.

#### VACATION FOR GOVERNMENT EMPLOYEES

Mr. RAMSPECK. Mr. Speaker, I call up the conference report on the bill (H. R. 8458) to provide for vacations to Government employees, and for other purposes.

The conference report and statement are as follows:

#### CONFERENCE REPORT

[To accompany H. R. 8458]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8458) to provide for vacations to Government employees and for other purposes, having met, after a full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 10, and 12, and agree to same.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to same with an amendment, as follows: In lieu of the Senate amendment, strike out "July 1, 1936" and insert "January 1, 1936"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with amendments, as follows: In lieu of the matter proposed to be inserted by the Senate, change the amendment to read as follows: "Before issuing such regulations, which shall be issued within three months from the date of approval of this Act, the heads of departments and independent establishments shall meet and consult among themselves and make such regulations as nearly uniform as possible so that all employees, temporary or permanent, in all departments and independent establishments shall receive like treatment as nearly as may be practicable: *Provided*, That heads of departments and independent establishments may appoint a subcommittee to draft such regulations"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, which struck out section 3 of the House bill, and agree to substitute a section, as follows:

"Sec. 3. Each head of a department or independent establishment shall keep a record of all work performed, in excess of the work required by departmental regulations issued in conformance with Section 2 hereof, for the period commencing July 1, 1936 and ending December 31, 1936, and shall report same to the Civil Service Commission at the end of each month. The Civil Service Commission shall make a report of such record to the Congress on or before January 31, 1937."

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and



agree to same with an amendment, as follows: Strike out "3" inserted by the Senate an insert "4"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to same with amendments, as follows: Before the word "wholly" inserted by the Senate also insert the word "either", and before the word "owned" in this section also insert the word "wholly"; and the Senate agree to the same.

ROBERT RAMSPECK,  
WILLIAM I. SIROVICH,  
FREDERICK R. LEHLBACH,  
*Managers on the part of the House.*  
W. J. BULOW,  
KENNETH MCKELLAR,  
WALLACE H. WHITE, JR.,  
*Managers on the part of the Senate.*

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8458) to provide for vacations to Government employees and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

On amendment no. 1: The House bill did not specifically exclude the officers and employees of the Panama Canal and the Panama Railroad on the Isthmus of Panama. The Senate amendment specifically excludes them from the bill, and clarifies the language of this section with reference to exceptions made in section 4 of the House bill; and the House recedes.

On amendment no. 2: This is a clarifying amendment and makes certain that employees stationed outside of the limits of the United States will be included; and the House recedes.

On amendment no. 3: The House bill provided for 30 days' annual leave. The Senate amendment reduces the number of days to 26 with Sundays and holidays excluded, which is equivalent to one working month; and the House recedes.

On amendment no. 4: The House bill provided that unused leave could be accumulated for use in succeeding years to not exceeding 120 days. The Senate amendment reduces this provision to 60 days; and the House recedes.

On amendment no. 5: The House bill, which was adopted last year, provided that the bill should take effect as of July 1, 1935. The Senate amendment changed this date to July 1, 1936. The House recedes with an amendment fixing the effective date as January 1, 1936.

On amendment no. 6: The House bill provided for the issuance of general public regulations setting the hours of duty per day and per week by the head of each department and independent establishment. The Senate amendment required that the heads of the departments and independent establishments should meet and consult among themselves in order to make such regulations as nearly uniform as possible. The House recedes with an amendment, the effect of which is to require such regulations to be issued within 3 months from the date of approval of this act, and to apply such regulations to both temporary and permanent employees.

On amendment no. 7: The House bill contains in the section no. 3 a provision permitting the giving of additional leave as compensation for overtime work in cases where it was not compensated for by law. The Senate amendment struck out this section in its entirety. The House recedes with an amendment, the effect of which is to require the heads of all departments and independent establishments to keep a record of all overtime work and report the same to the Civil Service Commission monthly for the period from July 1, 1936, to December 31, 1936, inclusive, which information the Civil Service Commission is required to report to the Congress not later than January 31, 1937, in order that the Congress may have definite facts in regard to overtime work.

On amendment no. 8: The House bill did not include the employees of the mail bag equipment shop of the Post Office Department. The Senate amendment includes these employees and changes the section number. The House recedes with an amendment restoring the original section number, the effect of which is to leave the employees of the mail bag equipment shop subject to the provisions of the bill.

On amendments nos. 9 and 10: These amendments simply change section numbers on account of the Senate amendment eliminating section 3 of the House bill which has been restored. The Senate recedes.

On amendment no. 11: The House bill provided that employees of corporations "owned or controlled" by the Government of the United States should be included within the provisions of the bill. The Senate amendment inserted the word "wholly" before the word "controlled" in order that the legislation might not affect banks and other private institutions in which the Government had acquired an interest. The House recedes with an amendment which is in the nature of a clarifying amendment, the effect of which is to include within the bill employees of corporations either wholly owned or wholly controlled by the Government of the United States, and thus eliminating the possibility of including any private institutions in which the Government might have some interest.

On amendment no. 12: This Senate amendment simply changed the section number because of the elimination of section 3 by the Senate, which section has been restored by the conference. The Senate recedes.

ROBERT RAMSPECK,  
WILLIAM I. SIROVICH,  
FREDERICK R. LEHLBACH,  
*Managers on the Part of the House.*

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. RICH. The vacation period, as I understand it, has been increased. Several days ago when the gentleman asked unanimous consent to send the bill to conference he was asked if it was the idea of the managers on the part of the House to decrease the vacation period to 15 days, and I understood him to say it was. The conference report brought back to us shows the leave has been increased to a full month.

Mr. RAMSPECK. The gentleman is confusing two bills. We are now considering the conference report on the annual vacation bill. This bill increases the leave allowance, or vacation allowance, from 15 to 26 days. The companion bill, H. R. 8459, decreases the sick leave from 30 days to 15.

Mr. RICH. Is it the intent and purpose, then, for Government employees to receive 26 working days vacation plus 4 Sundays and Saturdays off?

Mr. RAMSPECK. This bill gives the employees, 26 working days leave, but does not change the present status as to Sundays, holidays, and Saturdays; and I would remind the gentleman from Pennsylvania that prior to the enactment of the Economy Act in 1932 they had 30 days annual leave.

I also wish to call his attention to the fact that this includes every absence of an employee during working hours. It includes not only the usual vacation allowed by private employers of 2 weeks, but if the Government employee is 5 minutes late in the morning or at noontime he is charged with 15 minutes annual leave, which comes out of this 26 days. If he wants to go to the bank to get a check cashed, the time comes out of the 26 days. If he wants to go to the funeral of a friend, the time comes out of these 26 days. So it is not altogether vacation leave. The legal term would be leave from duty at any time during the year.

Mr. RICH. I infer from the statement of the gentleman that every time an employee wanted to go out for 5 minutes he would have to ask somebody for permission to make a record of it.

Mr. RAMSPECK. The gentleman is correct; it is charged up to his annual leave.

Mr. RICH. Is not this quite a difficult matter to take care of? To me it seems ridiculous that they would have to ask someone to get 10 minutes off.

Mr. RAMSPECK. Yes; it is difficult; but we cannot deal with the many thousands of Government employees by any other method and be fair to everybody.

Mr. RICH. One further question, if the gentleman will permit. I want to ask him in reference to amendment no. 8—which mentions specifically the mail-bag equipment shops—if the gentleman has agreed to cutting down the 44-hour week to a 40-hour week and increase the wages 10 percent? Is that included in this bill?

Mr. RAMSPECK. This bill does not deal with the question of hours at all.

Mr. RICH. Amendment no. 8 deals with employees of the mail-bag-equipment shop.

Mr. RAMSPECK. That is correct.

Mr. RICH. Did the conferees grant permission for the reduction of hours from 44 to 40 and increase wages 10 percent?

Mr. RAMSPECK. No; we have not. I would remind the gentleman that such a bill passed during the last session of Congress giving them a 40-hour week, as I recall it.

Mr. RICH. I appreciate that.

Mr. RAMSPECK. It is a bill which came from the Committee on the Post Office and Post Roads and dealt with all the employees of the Postal Service.

Mr. RICH. Does the gentleman increase their salaries 10 percent?

Mr. RAMSPECK. No; I have not dealt with their salaries at all. Our committee has no jurisdiction over that matter.

Mr. RICH. Then it is not the intent and purpose of the conference report to make this increase of 10 percent to the mail-bag-equipment-shop employees?

Mr. RAMSPECK. Not at all. I understand there is a bill pending which deals with that subject, but it has no relationship to this bill.

Mr. RICH. I want an opportunity to comment on that bill before it is passed, and I do not want to injure any Government employee, but I want to treat him the same as all employees in or out of Government service.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. BLANTON. This 26 days' leave means 26 full working days.

Mr. RAMSPECK. The gentleman is correct.

Mr. BLANTON. So, as a matter of fact, it figures out to be more than a month's vacation, because it eliminates four Sundays which are not counted.

Mr. RAMSPECK. That is correct.

Mr. BLANTON. Then it eliminates two half Saturday holidays. In other words, it is a month plus two half days, is it not?

Mr. RAMSPECK. I certainly agree with the gentleman that it is the equivalent to a full month's vacation.

Mr. BLANTON. It is a little over a full month's vacation.

Mr. TAYLOR of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. TAYLOR of South Carolina. Does or does not that amount to a good deal more than the net annual earnings of many people back home who make up the bulk of the taxpayers from which this money is to come?

Mr. RAMSPECK. I do not think so, I may say to the gentleman. I do not believe the Government employees under this bill will get any more time off than the employees of the gentleman's newspaper business. When we consider the fact that if one of his employees wants to go to a ball game, and his business situation on that particular afternoon is such he can let him off, the gentleman will let that employee off, and it does not interfere with the employee's annual vacation.

Mr. TAYLOR of South Carolina. May I inform the gentleman he is talking about matters beyond the realm of my understanding. I do not know about that matter.

Mr. RAMSPECK. The gentleman is in the newspaper business?

Mr. TAYLOR of South Carolina. Yes; as a stockholder.

Mr. RAMSPECK. Does he not let the employees off to go to a funeral, for instance?

Mr. TAYLOR of South Carolina. I have nothing to do with that.

Mr. RAMSPECK. Or to go out and get a check cashed without taking it out of the vacation time?

Mr. TAYLOR of South Carolina. I assume that is the practice.

Mr. RICH. Does the gentleman know of any industry, any merchant, or any business operation of any kind that is in operation in his district that grants a vacation of a month or more?

Mr. RAMSPECK. I would not say to the gentleman that I knew of any who granted a month at one single period as a regular vacation, but I know of private employers that let their employees off on special occasions from time to time without deducting it from the usual 2 weeks' vacation.

Mr. RICH. I appreciate that the employers as a rule try to be fair and honest with their employees, but does the gentleman think if employees in the Federal Government want to go out for a few minutes they will report that fact? It is ridiculous on the part of the gentleman to make such a statement, because I know we are not going to put time clocks in the Government offices to do anything like that. I would oppose time clocks myself. I do not believe in them.

Mr. TAYLOR of South Carolina. I want to know if there is anything in this bill requiring Federal employees to make a report when they congregate around tables and engage in prolonged conversations, doing no work?

Mr. RAMSPECK. That is a matter of administration, of course. We cannot by legislation keep people from doing wrong. If we have administrative officials in the Government service permitting that sort of thing, they ought to be discharged.

Mr. STEFAN. Will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Nebraska.

Mr. STEFAN. Does this report deal with sick leave?

Mr. RAMSPECK. No; that is taken up in the next conference report, which will be called up immediately after this one has been disposed of.

Mr. STEFAN. How many days' sick leave is allowed?

Mr. RAMSPECK. Fifteen days.

Mr. Speaker, I move the previous question on agreeing to the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. TAYLOR of South Carolina) there were—ayes 87, noes 4.

Mr. TAYLOR of South Carolina. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER. The Chair will count. [After counting.] One hundred and forty-two Members present; not a quorum.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 326, nays 10, not voting 94, as follows:

[Roll No. 29]  
YEAS—326

Adair	Cochran	Dunn, Pa.	Higgins, Mass.
Allen	Coffee	Eagle	Hildebrandt
Andresen	Colden	Edmiston	Hill, Ala.
Andrew, Mass.	Cole, N. Y.	Elcher	Hill, Knute
Arends	Collins	Ekwall	Hill, Samuel B.
Ashbrook	Colmer	Ellenbogen	Hobbs
Bacharach	Connery	Engel	Hollister
Bacon	Cooley	Englebright	Holmes
Bankhead	Cooper, Ohio	Evans	Hope
Barry	Cooper, Tenn.	Faddis	Houston
Beam	Costello	Farley	Huddleston
Belter	Cox	Ferguson	Hull
Bell	Cravens	Fernandez	Imhoff
Berlin	Crawford	Fiesinger	Jacobson
Blackney	Creal	Fish	Jenkins, Ohio
Bland	Crosby	Flannagan	Johnson, Tex.
Blanton	Cross, Tex.	Fletcher	Johnson, W. Va.
Bloom	Crosser, Ohio	Focht	Jones
Boehne	Crowe	Ford, Calif.	Kelly
Bolleau	Crowther	Ford, Miss.	Kennedy, Md.
Boland	Culkin	Fuller	Kennedy, N. Y.
Bolton	Cullen	Fulmer	Kenney
Boykin	Cummings	Gambrill	Kerr
Boylan	Curley	Gasque	Kieberg
Brewster	Darden	Gavagan	Kloeb
Brown, Ga.	Darrow	Gearhart	Kniffin
Brown, Mich.	Deen	Gehrmann	Knutson
Buchanan	Delaney	Gilchrist	Kocialkowski
Buck	Dempsey	Gildea	Kopplemann
Buckler, Minn.	DeRouen	Gingery	Kramer
Burch	Dies	Goldsbrough	Lambertson
Burdick	Dietrich	Goodwin	Lambeth
Caldwell	Dirksen	Granfield	Larrabee
Cannon, Mo.	Disney	Gray, Pa.	Lea, Calif.
Carlson	Dobbins	Green	Lee, Okla.
Carmichael	Dockweiler	Greenwood	Lehibach
Carter	Dondero	Greever	Lemke
Cartwright	Doughton	Gregory	Lesinski
Cary	Doxey	Guyner	Lewis, Colo.
Castellow	Drewry	Gwynne	Lewis, Md.
Cavichia	Driscoll	Haines	Lord
Chandler	Driver	Halleck	Luckey
Chapman	Duffey, Ohio	Hancock, N. Y.	Ludlow
Church	Duffy, N. Y.	Harlan	Lundeen
Citron	Duncan	Hart	McAndrews
Claborn	Dunn, Miss.	Hennings	McClellan



McCormack	O'Leary	Rogers, Okla.	Terry
McFarlane	O'Malley	Romjue	Thomason
McGehee	O'Neal	Rudd	Thompson
McGoorty	Owen	Sadowski	Thurston
McKeough	Palmsano	Sanders, Tex.	Tinkham
McLaughlin	Parks	Sandlin	Tolan
McLean	Parsons	Sauthoff	Tonry
McLeod	Patman	Schaefer	Turner
Maas	Patterson	Schneider, Wis.	Umstead
Maloney	Pearson	Schuetz	Utterback
Mansfield	Perkins	Scott	Vinson, Ga.
Mapes	Peterson, Ga.	Scrugham	Vinson, Ky.
Marshall	Pettengill	Secrest	Wadsworth
Martin, Colo.	Pfeifer	Shanley	Wallgren
Martin, Mass.	Pierce	Shannon	Walter
Mason	Pittenger	Short	Warren
Maverick	Polk	Sirovich	Welch
May	Powers	Sisson	Werner
Mead	Rabaut	Smith, Conn.	West
Merritt, Conn.	Ramsay	Smith, Va.	Whelchel
Merritt, N. Y.	Ramspeck	Smith, Wash.	Whittington
Michener	Randolph	Smith, W. Va.	Wigglesworth
Millard	Rankin	Snyder, Pa.	Wilcox
Miller	Ransley	Somers, N. Y.	Williams
Mitchell, Tenn.	Rayburn	Spence	Wilson, Pa.
Monaghan	Reece	Stack	Withrow
Montet	Reed, Ill.	Starnes	Wolcott
Moran	Reed, N. Y.	Stefan	Wolfenden
Mott	Reilly	Stewart	Wolverton
Nelson	Richards	Sullivan	Wood
Nichols	Richardson	Summers, Tex.	Woodruff
Norton	Risk	Sutphin	Young
O'Brien	Robinson, Utah	Taber	Zimmerman
O'Connell	Robison, Ky.	Tarver	Zioncheck
O'Connor	Rogers, Mass.	Taylor, Colo.	
O'Day	Rogers, N. H.	Taylor, Tenn.	

## NAYS—10

Biermann	Gillette	Rich	Wearin
Binderup	Hoffman	Taylor, S. C.	White
Carpenter	Massingale		

## NOT VOTING—94

Amle	Doutrich	Keller	Robertson
Andrews, N. Y.	Eaton	Kinzer	Russell
Ayers	Eckert	Kvale	Ryan
Barden	Fenerty	Lamneck	Sabath
Brennan	Fitzpatrick	Lanham	Sanders, La.
Brooks	Frey	Lucas	Schulte
Buckbee	Gassaway	McGrath	Sears
Buckley, N. Y.	Gifford	McMillan	Seger
Bulwinkle	Gray, Ind.	McReynolds	Snell
Burnham	Greenway	McSwain	South
Cannon, Wis.	Griswold	Mahon	Steagall
Casey	Hamlin	Main	Stubbs
Celler	Hancock, N. C.	Marcantonio	Sweeney
Christianson	Harter	Meeks	Thom
Clark, Idaho	Hartley	Mitchell, Ill.	Thomas
Clark, N. C.	Healey	Montague	Tobey
Cole, Md.	Hess	Moritz	Treadway
Corning	Higgins, Conn.	Murdock	Turpin
Daly	Hoeppe	Oliver	Underwood
Dear	Hook	Patton	Weaver
Dickstein	Jenckes, Ind.	Peterson, Fla.	Wilson, La.
Dingell	Johnson, Okla.	Peyser	Woodrum
Ditter	Kahn	Plumley	
Dorsey	Kee	Quinn	

So the conference report was agreed to.  
The Clerk announced the following pairs:  
Until further notice:

Mr. Woodrum with Mr. Snell.  
Mr. Oliver with Mr. Treadway.  
Mr. Robertson with Mr. Hess.  
Mr. McSwain with Mr. Gifford.  
Mr. Griswold with Mr. Ditter.  
Mr. Johnson of Oklahoma with Mr. Tobey.  
Mr. Lanham with Mrs. Kahn.  
Mr. McReynolds with Mr. Andrews of New York.  
Mr. Cole of Maryland with Mr. Eaton.  
Mr. McMillan with Mr. Seger.  
Mr. Bulwinkle with Mr. Main.  
Mr. Hancock of North Carolina with Mr. Burnham.  
Mr. Celler with Mr. Christianson.  
Mr. Montague with Mr. Plumley.  
Mr. Corning with Mr. Thomas.  
Mr. Thom with Mr. Fenerty.  
Mr. Steagall with Mr. Buckbee.  
Mr. Fitzpatrick with Mr. Doutrich.  
Mr. Sears with Mr. Hartley.  
Mr. Lamneck with Mr. Marcantonio.  
Mr. Schulte with Mr. Turpin.  
Mr. Clark of North Carolina with Mr. Kinzer.  
Mr. Gray of Indiana with Mr. Higgins of Connecticut.  
Mr. Patton with Mr. Amle.  
Mr. Weaver with Mr. Kvale.  
Mr. Quinn with Mr. Casey.  
Mr. Gassaway with Mr. Buckley of New York.  
Mr. Peterson of Florida with Mr. Barden.  
Mr. Harter with Mr. Russell.  
Mr. Peyser with Mr. Ayers.  
Mr. Brooks with Mr. Hamlin.  
Mr. Hook with Mr. Ryan.  
Mr. Clark of Idaho with Mr. Sanders of Louisiana.

Mr. Kee with Mr. Stubbs.  
Mr. Keller with Mr. South.  
Mr. Dickstein with Mr. Wilson of Louisiana.  
Mr. Sweeney with Mr. Frey.  
Mr. Murdock with Mr. Eckert.  
Mr. Meeks with Mr. Dingell.

Mr. CONNERY. Mr. Speaker, the gentleman from Massachusetts, Mr. HEALEY, is unavoidably absent on official business. If he were present, he would vote "aye."

Mr. NICHOLS. Mr. Speaker, my colleague, the gentleman from Oklahoma, Mr. FERGUSON, is unavoidably detained. If he were here, he would vote "aye."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

## SICK LEAVE FOR GOVERNMENT EMPLOYEES

Mr. RAMSPECK. Mr. Speaker, I call up the conference report on the bill (H. R. 8459) to standardize sick leave and extend it to all civilian employees, and ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

## CONFERENCE REPORT

[To accompany H. R. 8459]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8459) to standardize sick leave and extend it to all civilian employees, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 6, and 7, and agree to same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to same with an amendment, as follows: In lieu of "July 1, 1936" inserted by the Senate, substitute "January 1, 1936"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to same with an amendment, as follows: In lieu of "July 1, 1936" inserted by the Senate, substitute "January 1, 1936"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to same with an amendment, as follows: Strike out the word "sixty" inserted by the Senate, and insert in lieu thereof the word "ninety"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to same with amendments, as follows: Before the word "wholly" inserted by the Senate, also insert the word "either"; and before the word "owned" in this section, also insert the word "wholly"; and the Senate agree to the same.

ROBERT RAMSPECK,

WILLIAM I. SROVICH,

FREDERICK R. LEHLBACH,

Managers on the part of the House.

W. J. BULOW,

KENNETH MCKELLAR,

WALLACE H. WHITE, Jr.,

Managers on the part of the Senate.

## STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 8459) to standardize sick leave and extend it to all civilian employees, submit the following statement in explanation of the effect of the action agreed upon by the conference and recommended in the accompanying conference report:

On amendment no. 1: The House bill provided that the effective date should be July 1, 1935. The Senate amendment changed this date to 1936 and inserted clarifying language. The House recedes with an amendment making the effective date January 1, 1936.

On amendment no. 2: This is a clarifying amendment, the purpose of which is to make certain the application of the bill to employees wherever stationed. The House recedes.

On amendment no. 3: The House bill did not specifically exempt officers and employees of the Panama Canal and the Panama Railroad. The Senate amendment excludes these employees. The House recedes.

On amendment no. 4: This amendment is similar to amendment no. 1. The House recedes with an amendment making the effective date January 1, 1936.

On amendment no. 5: The House bill provided that that unused sick leave might be accumulated to not exceeding 120 days. The Senate amendment reduced this accumulation to 60 days. The

House recedes with an amendment, the effect of which is to permit accumulation of sick leave to not exceeding 90 days.

On amendment no. 6: The House bill left the question of regulations governing sick leave entirely in the discretion of the President under regulations to be issued by him. The Senate amendment adds the provision that employees shall furnish certificates satisfactory to the heads of the appropriate departments or independent establishments. The House recedes.

On amendment no. 7: The House bill did not include employees of the mail-bag equipment shop of the Post Office Department. The Senate amendment includes these employees. The House recedes.

On amendment no. 8: The House bill included employees of corporations created under authority of an act of Congress controlled or owned by the United States Government. The Senate amendment inserted the word "wholly" before the word "controlled" in order that the bill might not include private corporations in which the Government might have acquired an interest. The House recedes with an amendment, the effect of which is to provide that corporations either wholly owned or wholly controlled by the Government shall be included, but excluding private corporations in which the Government might have some interest.

ROBERT RAMSPECK,  
WILLIAM I. SIROVICH,  
FREDERICK R. LEHLBACH,  
*Managers on the part of the House.*

Mr. RAMSPECK. Mr. Speaker, the present law gives the employees of the Federal Government 30 days' sick leave. This bill reduces that to 15 days per year, cutting it half in two. The bill, however, gives them the right to accumulate unused sick leave until the accumulation reaches 90 days. Of course, no sick leave can be used except when a person is sick.

The only other matter I want to call attention to in connection with this measure is that we have received a concession from the Senate which makes it certain that the bill applies to all Government corporations where they are wholly owned or wholly controlled by the Government. We thought the Senate bill was so worded that it would exclude the employees of the Federal Deposit Insurance Corporation, which, of course, is just as much a Government agency as the Department of Commerce or any other department. We have that provision so worded that, I think, it will be perfectly clear.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Pennsylvania.

Mr. RICH. What was the idea of the committee in drafting these bills to give 30 days' annual leave, and then reducing the sick leave to 15 days from 30 days for Government employees?

Mr. RAMSPECK. I may say to the gentleman that sick leave, of course, is not intended to be used except when a person is sick. They had 30 days' sick leave, and the records show that the average number of days used was about 12, as I recall it. We thought it would be better to cut it down and let the unused portion accumulate up to 90 days, so that in case of a serious illness an employee would have a backlog of unused leave to take care of him, rather than having to go on leave without pay at the very time when his expenses were greater. The heads of the departments say that they have records of many employees who worked from 15 to 25 years without taking any sick leave, and then in their later years of life, when their health was not so good, they have exhausted their sick leave and have had to go on leave without pay.

Mr. RICH. If you want to be good to Government employees, why cut their sick leave from 30 days to 15 days?

Mr. RAMSPECK. I think 15 days is enough to cover the necessities in view of the accumulation, and we are giving them some additional annual leave so as to balance the matter.

Mr. RICH. Would not the gentleman like to see all the people in his district get 30 days' leave if they became sick in any manufacturing establishment?

Mr. RAMSPECK. I certainly would; yes.

Mr. RICH. Then why did the gentleman cut the Government sick leave down to 15 days? The gentleman is not consistent.

Mr. ZIONCHECK. Mr. Speaker, will the gentleman yield? How many days does the gentleman give in his plant? Will

the gentleman from Georgia yield or ask the gentleman from Pennsylvania that question?

Mr. RAMSPECK. I do not care to draw the gentleman into that sort of a discussion, but I may say to the gentleman from Pennsylvania that I was recently ill for a couple of weeks myself, and I did not lose any pay. I think this is a perfectly fair provision, because I think the Government ought to be the leader in providing good working conditions.

Mr. RICH. I agree with the gentleman in that statement. I think the Government, so far as its employees are concerned, should be a leader, and I am interested in helping them, but I think sometimes, not because I have anything against the Government employees—God forbid—I want to help the Government employees, but I am thinking of the people back home and the conditions under which they are working, and I am thinking of the people in industry all over the country. We ought to treat everybody alike, and if we are to do this, then we must remember that adage we have all been taught—the Golden Rule—we do not want to do things for one class of people we cannot do for everyone.

Mr. RAMSPECK. We do not legislate for those people to whom the gentleman refers in regard to these matters.

Mr. Speaker, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, so that we may clearly understand this bill, I want to ask my friend the gentleman from Georgia some questions, if he will be kind enough to answer them.

Is this accumulative leave retroactive?

Mr. RAMSPECK. It is effective January 1 of this year.

Mr. BLANTON. What I am asking is where a Government employee has not taken his sick leave, or has not taken much of it, and has that sick leave accumulated prior to January 1, will he be entitled to it?

Mr. RAMSPECK. Yes; but he can only take it when sick.

Mr. BLANTON. Then accumulated sick leave prior to last January can be taken under this bill if the employee is sick?

Mr. RAMSPECK. Accumulated leave is protected by this bill.

Mr. BLANTON. I wanted to be sure, because there are honest, faithful, diligent Government employees who have never taken any sick leave. There are some malingerers who are taking sick leave all the time when not sick. Some will go to a party and not feel very well the next morning and take sick leave.

But there are a lot of splendid employees who are not guilty of malingering on the Government.

I know a splendid employee who last year, unfortunately, was sick for 3 months, and her pay was stopped. Under the bill, she now would get the benefit of it.

Mr. RAMSPECK. Yes.

Mr. BLANTON. I wanted to be sure about that. What provision is there in this bill for the safeguarding of the Government against someone who is not sick and going and getting a doctor's certificate?

Mr. RAMSPECK. There are two provisions in the bill. Section 2 of the bill provides that the employee shall furnish a certificate satisfactory to the head of the department, and in section 7 we give general authority to the President to prescribe such rules and regulations and methods as far as practicable to get uniformity.

Mr. BLANTON. These regulations ought to be prescribed. A doctor can tell when a person is sick mainly by what the person says. The patient calls a doctor, and the doctor comes in, the patient pulls a sheet up to his neck and says, "O doctor, I am awful sick." The doctor has to rely largely on what the patient says.

There is a lot of that going on in Washington. I had a bureau chief tell me that they had no way of checking up on malingerers. It is not right for the good employees, the honest and fair working employees, who have not taken any sick leave, to have these malingerers stay out and make them do the extra work.

The remedy is to represcribe the regulations. The President has the right to prescribe them, and it ought to be looked into. I am glad the subcommittee, with its able chair-



man, has taken the matter up and that the regulations will be reprinted.

Mr. PATMAN. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. PATMAN. I have been told that some of these doctors have certificates in blank—

Mr. BLANTON. Yes; and some sell them for \$2 each.

Mr. PATMAN. That is a very serious matter.

Mr. BLANTON. I do not think that honorable, respectable doctors here—and a great majority of them are honorable and highly respectable—would issue a certificate of that kind; but there are some who are dependent on what the people tell them, who do issue these certificates for the \$2, when they ought not to be issued.

Mr. RAMSPECK. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the adoption of the conference report.

Mr. BLANTON. Mr. Speaker, on that I demand a division.

The House divided; and there were—ayes 103, noes 0.

Mr. BLANTON. Mr. Speaker, I object to the vote because there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is not a quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The Clerk called the roll; and there were—yeas 336, nays 1, not voting 93, as follows:

[Roll No. 30]

YEAS—336

Adair	Cravens	Gingery	Ludlow
Allen	Crawford	Goldsborough	Lundeen
Andresen	Creal	Goodwin	McAndrews
Andrew, Mass.	Crosby	Granfield	McClellan
Arends	Cross, Tex.	Green	McCormack
Ashbrook	Crosser, Ohio	Greenway	McFarlane
Bacharach	Crowe	Greenwood	McGehee
Bacon	Crowther	Gregory	McGroarty
Bankhead	Culkin	Gwynne	McKeough
Barry	Cullen	Haines	McLaughlin
Beam	Cummings	Halleck	McLeod
Belter	Curley	Hancock, N. C.	McMillan
Bell	Darden	Hancock, N. Y.	Maas
Berlin	Darrow	Harlan	Mahon
Biermann	Delaney	Hart	Main
Binderup	Dempsey	Hennings	Maloney
Blackney	DeRouen	Higgins, Mass.	Mansfield
Bland	Dickstein	Hildebrandt	Mapes
Blanton	Dies	Hill, Ala.	Marshall
Bloom	Dietrich	Hill, Knute	Martin, Colo.
Boehne	Dirksen	Hill, Samuel B.	Martin, Mass.
Boileau	Disney	Hobbs	Mason
Boland	Dobbins	Hoffman	Massingale
Bolton	Dockweiler	Hollister	Mayerlick
Boykin	Dondero	Holmes	May
Boylan	Doughton	Hope	Mead
Brewster	Doxey	Houston	Merritt, Conn.
Brown, Ga.	Drewry	Huddleston	Merritt, N. Y.
Brown, Mich.	Driscoll	Hull	Michener
Buchanan	Driver	Imhoff	Millard
Buck	Duffey, Ohio	Jacobsen	Mitchell, Tenn.
Buckler, Minn.	Duffy, N. Y.	Jenkins, Ohio	Monaghan
Buckley, N. Y.	Duncan	Johnson, Okla.	Moran
Burch	Dunn, Miss.	Johnson, Tex.	Mott
Burdick	Dunn, Pa.	Johnson, W. Va.	Nelson
Caldwell	Eagle	Jones	Nichols
Cannon, Mo.	Edmiston	Keller	Norton
Carlson	Elcher	Kelly	O'Brien
Carmichael	Ekwall	Kennedy, Md.	O'Connell
Carpenter	Ellenbogen	Kennedy, N. Y.	O'Connor
Carter	Englebright	Kenny	O'Leary
Cartwright	Evans	Kerr	O'Malley
Cary	Faddis	Kleberg	O'Neal
Castellow	Farley	Kloeb	Owen
Cavicchia	Fernandez	Kniffin	Palmisano
Celler	Fiesinger	Knutson	Parks
Chandler	Fish	Kocalkowski	Parsons
Chapman	Flannagan	Kopplemann	Patman
Church	Fletcher	Kramer	Patterson
Citron	Focht	Lambertson	Pearson
Claiborne	Ford, Calif.	Lambeth	Perkins
Cochran	Ford, Miss.	Larrabee	Peterson, Ga.
Coffee	Frey	Lea, Calif.	Peyser
Colden	Fuller	Lee, Okla.	Pfeifer
Cole, N. Y.	Fulmer	Lelbach	Pierce
Colmer	Gambrell	Lemke	Pittenger
Connery	Gasque	Lesinski	Plumley
Cooley	Gavagan	Lewis, Colo.	Polk
Cooper, Ohio	Gearhart	Lewis, Md.	Powers
Cooper, Tenn.	Gehrmann	Lord	Quinn
Costello	Gilchrist	Lucas	Rabaut
Cox	Gildea	Luckey	Ramsay

Ramspeck	Sauthoff	Stubbs	Wallgren
Randolph	Schaefer	Sullivan	Walter
Rankin	Schneider, Wis.	Summers, Tex.	Warren
Ransley	Schuetz	Sutphin	Wearin
Rayburn	Scott	Taber	Welch
Reece	Scrugham	Tarver	West
Reed, Ill.	Secrest	Taylor, Colo.	Whelchel
Reed, N. Y.	Shanley	Taylor, S. C.	Whittington
Reilly	Shannon	Taylor, Tenn.	Wigglesworth
Rich	Short	Terry	Wilcox
Richards	Sirovich	Thomason	Williams
Richardson	Smith, Conn.	Thompson	Wilson, Pa.
Risk	Smith, Va.	Thurston	Withrow
Robinson, Utah	Smith, Wash.	Tinkham	Wolfcott
Robison, Ky.	Smith, W. Va.	Tolan	Wolfenden
Rogers, Mass.	Somers, N. Y.	Tonry	Wolverton
Rogers, N. H.	South	Turner	Wood
Rogers, Okla.	Spence	Umstead	Woodruff
Romjue	Stack	Utterback	Woodrum
Rudd	Starnes	Vinson, Ga.	Young
Sabath	Stefan	Vinson, Ky.	Zimmerman
Sanders, Tex.	Stewart	Wadsworth	Zioncheck

NAYS—1

White

NOT VOTING—93

Amle	Eaton	Kee	Ryan
Andrews, N. Y.	Eckert	Kinzer	Sadowski
Ayers	Engel	Kvale	Sanders, La.
Barden	Fenerty	Lamneck	Sandlin
Brennan	Ferguson	Lanham	Schulte
Brooks	Fitzpatrick	McGrath	Sears
Buckbee	Gassaway	McLean	Seger
Bulwinkle	Gifford	McReynolds	Sisson
Burnham	Gillette	McSwain	Snell
Cannon, Wis.	Gray, Ind.	Marcantonio	Snyder, Pa.
Casey	Gray, Pa.	Meeks	Steagall
Christianson	Greever	Miller	Sweeney
Clark, Idaho	Griswold	Mitchell, Ill.	Thom
Clark, N. C.	Guyer	Montague	Thomas
Cole, Md.	Hamlin	Montet	Tobey
Collins	Harter	Moritz	Treadway
Corning	Hartley	Murdock	Trupin
Daly	Healey	O'Day	Underwood
Dear	Hess	Oliver	Weaver
Deen	Higgins, Conn.	Patton	Werner
Dingell	Hoeppel	Peterson, Fla.	Wilson, La.
Ditter	Hook	Pettengill	
Dorsey	Jenckes, Ind.	Robertson	
Doutrich	Kahn	Russell	

So the conference report was agreed to.

The Clerk announced the following additional general pairs:

Mr. Miller with Mr. Snell.  
 Mr. Bulwinkle with Mr. McLean.  
 Mr. Montague with Mr. Christianson.  
 Mr. Snyder of Pennsylvania with Mr. Tobey.  
 Mr. Montet with Mr. Guyer.  
 Mr. Pettengill with Mr. Burnham.  
 Mr. Deen with Mr. Seger.  
 Mr. Dingell with Mr. Collins.  
 Mr. Sweeney with Mr. Hancock of New York.  
 Mr. Sisson with Mr. Engel.  
 Mr. Gillette with Mr. Ayers.  
 Mr. Werner with Mr. Gassaway.  
 Mrs. O'Day with Mr. Wilson of Louisiana.  
 Mr. Brennan with Mr. Daly.  
 Mr. Gray of Pennsylvania with Mr. Sandlin.  
 Mr. Casey with Mr. Ferguson.  
 Mr. Healey with Mr. Kee.

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the conference report was agreed to was laid on the table.

The doors were opened.

RENT COMMISSION, DISTRICT OF COLUMBIA

Mrs. NORTON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11563, declaring an emergency in the housing condition in the District of Columbia; creating a rent commission for the District of Columbia; prescribing powers and duties of the commission, and for other purposes, and ask unanimous consent that general debate upon the bill close in 1 hour.

The SPEAKER. The gentlewoman from New Jersey moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11563. Pending that she asks unanimous consent that general debate be limited to 1 hour, one-half to be controlled by herself and one-half by the gentleman from Illinois [Mr. DIRKSEN]. Is there objection?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. This is an important bill and is too important to be disposed of in 1 hour. The House passed on this rent com-

mission matter last year and was against it, although this is a new bill. I think the House is still against it. I object.

Mrs. NORTON. Mr. Speaker, I rise to correct the gentleman from Texas, if I may. The House did not pass on this bill last year.

The SPEAKER. The question is on the motion of the gentleman from New Jersey that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11563.

Mr. TABER. Mr. Speaker, on that I demand a division. The House divided; and there were—ayes 107, noes 33.

Mr. TABER. Mr. Speaker, I object to the vote upon the grounds that there is no quorum present and make the point of order that there is no quorum present.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and ninety-five Members present, not a quorum. This is an automatic call. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 240, nays 70, not voting 120, as follows:

## [Roll No. 31]

## YEAS—240

Adair	Drewry	Kniffin	Rayburn
Andresen	Driscoll	Kocalkowski	Reed, Ill.
Bankhead	Driver	Kopplemann	Reilly
Barry	Duffey, Ohio	Kramer	Richards
Beam	Duffy, N. Y.	Lambeth	Richardson
Biermann	Duncan	Lea, Calif.	Risk
Binderup	Dunn, Miss.	Lee, Okla.	Robinson, Utah
Bland	Dunn, Pa.	Lemke	Rogers, N. H.
Bloom	Eagle	Lewis, Colo.	Rogers, Okla.
Boehne	Edmiston	Lewis, Md.	Romjue
Boileau	Elcher	Lucas	Rudd
Boland	Ellenbogen	Luckey	Ryan
Boykin	Evans	Ludlow	Sanders, Tex.
Boylan	Farley	Lundeen	Sauthoff
Brewster	Fiesinger	McAndrews	Schaefer
Brown, Ga.	Flannagan	McCormack	Schneider, Wis.
Brown, Mich.	Fletcher	McFarlane	Schuetz
Buchanan	Focht	McGehee	Scott
Buck	Ford, Miss.	McGroarty	Secrest
Buckler, Minn.	Frey	McKeough	Shanley
Burch	Fuller	McLaughlin	Shannon
Burdick	Fulmer	McReynolds	Sirovich
Caldwell	Gambrill	McSwain	Smith, Conn.
Cannon, Mo.	Gasque	Maas	Smith, W. Va.
Carmichael	Gavagan	Mahon	Snyder, Pa.
Carpenter	Gehrmann	Mansfield	Somers, N. Y.
Carter	Gilchrist	Marshall	South
Cary	Gildea	Martin, Colo.	Spence
Castellow	Gillette	Mason	Stack
Chandler	Gingery	Massingale	Starnes
Chapman	Granfield	Maverick	Stubbs
Citron	Gray, Pa.	Merritt, N. Y.	Sullivan
Claborn	Green	Monaghan	Sutphin
Cochran	Greenway	Moran	Taylor, S. C.
Colden	Greenwood	Moritz	Taylor, Tenn.
Collins	Greever	Mott	Thomason
Colmer	Gregory	Nelson	Thompson
Cooley	Gwynne	Norton	Tolan
Cooper, Tenn.	Haines	O'Brien	Tonry
Costello	Halleck	O'Connell	Turner
Cox	Hamlin	O'Connor	Umstead
Cravens	Hart	O'Day	Utterback
Creal	Hennings	O'Leary	Vinson, Ga.
Crosby	Higgins, Mass.	O'Malley	Vinson, Ky.
Cross, Tex.	Hildebrandt	O'Neal	Wallgren
Crosser, Ohio	Hill, Ala.	Owen	Walter
Crowe	Hill, Knute	Palmisano	Warren
Cullen	Hill, Samuel B.	Parks	Wearin
Curley	Houston	Parsons	Welch
Darden	Huddleston	Patman	Werner
Delaney	Imhoff	Patterson	Whelchel
Dempsey	Jacobsen	Pearson	White
DeRouen	Jenkins, Ohio	Peterson, Ga.	Whittington
Dickstein	Johnson, Okla.	Pfeifer	Wilcox
Dietrich	Johnson, Tex.	Pierce	Williams
Dirksen	Kelly	Pittinger	Withrow
Dobbins	Kennedy, N. Y.	Polk	Wood
Dockweller	Kenney	Ramsay	Woodruff
Doughton	Kloeb	Randolph	Woodrum
Doxey		Rankin	Zimmerman

## NAYS—70

Allen	Bolton	Darrow	Gifford
Andrew, Mass.	Burnham	Dondero	Goodwin
Arends	Carlson	Ekwall	Guyer
Ashbrook	Caviechia	Engel	Hancock, N. Y.
Bacharach	Church	Englebright	Hoffman
Bacon	Cole, N. Y.	Faddis	Hollister
Blackney	Crawford	Fish	Holmes
Blanton	Crowther	Gearhart	Hope

Kleberg	Merritt, Conn.	Reed, N. Y.	Tinkham
Knutson	Michener	Rich	West
Lehbach	Millard	Robison, Ky.	Wigglesworth
Lesinski	Mitchell, Tenn.	Rogers, Mass.	Wilson, Pa.
Lord	Perkins	Short	Wolcott
McMillan	Powers	Smith, Va.	Wolfenden
Main	Rabaut	Stefan	Wolverton
Mapes	Ramspeck	Taber	Young
Martin, Mass.	Ransley	Tarver	
May	Reece	Thurston	

## NOT VOTING—120

Amle	Dingell	Kee	Quinn
Andrews, N. Y.	Disney	Keller	Robertson
Ayers	Ditter	Kennedy, Md.	Russell
Barden	Dorsey	Kerr	Sabath
Beiter	Doutrich	Kinzer	Sadowski
Bell	Eaton	Kvale	Sanders, La.
Berlin	Eckert	Lambertson	Sandlin
Brennan	Fenerty	Lamneck	Schulte
Brooks	Ferguson	Lanham	Scrugham
Buckbee	Fernandez	Larrabee	Sears
Buckley, N. Y.	Fitzpatrick	McClellan	Seger
Bulwinkle	Ford, Calif.	McGrath	Sisson
Cannon, Wis.	Gassaway	McLean	Smith, Wash.
Cartwright	Goldsborough	McLeod	Snell
Casey	Gray, Ind.	Maloney	Steagall
Celler	Griswold	Marcantonio	Stewart
Christianson	Hancock, N. C.	Mead	Summers, Tex.
Clark, Idaho	Harlan	Meeks	Sweeney
Clark, N. C.	Harter	Miller	Taylor, Colo.
Coffee	Hartley	Mitchell, Ill.	Terry
Cole, Md.	Healey	Montague	Thom
Connery	Hess	Montet	Thomas
Cooper, Ohio	Higgins, Conn.	Murdock	Tobey
Corning	Hobbs	Nichols	Treadway
Culkin	Hoepfel	Oliver	Turpin
Cummings	Hook	Patton	Underwood
Daly	Jenckes, Ind.	Peterson, Fla.	Wadsworth
Dear	Johnson, W. Va.	Pettengill	Weaver
Deen	Jones	Peyser	Wilson, La.
Dies	Kahn	Plumley	Zioncheck

So the motion was agreed to.

The Clerk announced the following pairs:

Mr. Miller with Mr. Snell.  
 Mr. Mead with Mr. Cooper of Ohio.  
 Mr. Summers of Texas with Mr. Stewart.  
 Mr. Jones with Mr. Wadsworth.  
 Mr. Hancock of North Carolina with Mr. Andrews of New York.  
 Mr. Dingell with Mr. Tobey.  
 Mr. Kerr with Mr. Culkin.  
 Mr. Cartwright with Mr. McLeod.  
 Mr. Connery with Mr. Lambertson.  
 Mr. Pettengill with Mr. Plumley.  
 Mr. Fernandez with Mr. Quinn.  
 Mr. McClellan with Mr. Buckley of New York.  
 Mr. Beiter with Mr. Sweeney.  
 Mrs. Jenckes of Indiana with Mr. Meeks.  
 Mr. Zioncheck with Mr. Celler.  
 Mr. Nichols with Mr. Gillette.  
 Mr. Sandlin with Mr. Keller.  
 Mr. Terry with Mr. Gassaway.  
 Mr. Scrugham with Mr. Dear.  
 Mr. Larrabee with Mr. Peyser.  
 Mr. Berlin with Mr. Ford.  
 Mr. Dies with Mr. Wilson of Louisiana.  
 Mr. Sabath with Mr. Hobbs.  
 Mr. Taylor of Colorado with Mr. Maloney.  
 Mr. Brooks with Mr. Coffee.  
 Mr. Montet with Mr. Sisson.  
 Mr. Hook with Mr. Kennedy of Maryland.  
 Mr. Bell with Mr. Cummings.  
 Mr. Disney with Mr. Smith of Washington.  
 Mr. Goldsborough with Mr. Johnson of West Virginia.

Mr. SCHNEIDER of Wisconsin. Mr. Speaker, my colleague, Mr. AMLIE, is unavoidably absent. If present, he would have voted "aye."

Mr. BLANTON. Mr. Speaker, a point of order before the vote is announced. I make the point of order that the Supreme Court of the United States clearly and distinctly and unequivocally held that in peacetimes such a bill as this is unconstitutional.

I realize full well that the Speaker from time to time has held that constitutional questions cannot be raised by a point of order and that, even if the entire membership believed a bill to be unconstitutional, even if the Speaker were convinced it was unconstitutional, the Speaker would have to rule against the point of order, because questions of constitutionality are for the courts, and not Congress, to decide. But in order to get another ruling by the Chair, so as to show clearly that the unconstitutionality of a bill cannot be raised against it by a point of order in the House, I make a point of order that the bill is unconstitutional and cannot be considered.

The SPEAKER. The Chair is ready to rule. The precedents are uniform. There does not appear to be a single exception. They are to the effect that it is not within the



province of the Chair to pass upon the constitutionality of a bill pending before the House, and that only the House itself can pass upon that question.

The Chair therefore overrules the point of order.

The result of the vote was announced as above recorded. The doors were opened.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11563) declaring an emergency in the housing condition in the District of Columbia; creating a rent commission for the District of Columbia; prescribing powers and duties of the commission, and for other purposes, with Mr. UMSTEAD in the chair.

The Clerk read the title of the bill.

Mrs. NORTON. Mr. Chairman, I ask unanimous consent that the debate be limited to 2 hours, 1½ hours to be controlled by the gentleman from Illinois [Mr. DIRKSEN] and one-half hour by myself. I make this concession, Mr. Chairman, in the interest of the bill, hoping that the gentlemen on the other side will be sporty enough to go along.

The CHAIRMAN. Is there objection to the request of the lady from New Jersey?

Mr. BLANTON. Mr. Chairman, I am not "sporty" this afternoon. I object.

The CHAIRMAN. Objection is heard. The Clerk will read the bill.

The Clerk read as follows:

A bill declaring an emergency in the housing condition in the District of Columbia; creating a rent commission for the District of Columbia; prescribing powers and duties of the commission, and for other purposes

*Be it enacted, etc.,* That it is hereby declared that the provisions of this act are made necessary by emergencies growing out of the war against the depression, resulting in rental and housing conditions in the District of Columbia dangerous to the general welfare, health, peace, and morals of the public and to public officers and public employees whose duties require them to reside within the District, and other persons whose activities are essential to the maintenance of such officers and employees, and thereby hampering the Federal Government in the transaction of public business. It is also declared that this act shall be considered temporary legislation and that it shall terminate on the expiration of 3 years from passage of this act unless sooner repealed.

Sec. 2. When used in this act, unless the content indicates otherwise—

The term "rental property" means any hotel, apartment, or rooming house, or any building or part thereof or land appurtenant thereto in the District of Columbia, rented or hired for dwelling purposes and the service agreed or required by law or by determination of the commission to be furnished in connection therewith; but does not include a garage, warehouse, or any building or part thereof used by the tenant exclusively for a business purpose other than the subleasing or subcontracting for use for living accommodations.

The term "person" includes an individual, partnership, association, corporation, trust, estate, joint stock, insurance company, legal representative, trustee, receiver, or trustee in bankruptcy.

The term "owner" includes a lessor or sublessor or other persons entitled to receive rent or charges for the use or occupancy of any rental property or any interest therein, or his agent.

The term "tenant" includes a subtenant, lessee, sublessee, or other persons not the owners entitled to the use or occupancy of any rental property.

The term "service" includes the furnishing of light, hot and cold water, gas, heat, telephone, elevator service, furniture, furnishings, window shades, screens, awnings, storage, kitchen, bath, laundry facilities and privileges, maid service, janitor service, removal of refuse, making of repairs suited to the type of building or necessitated by ordinary wear and tear, and any other privileges or services connected with the use or occupancy of any rental property.

The term "Commission" means the Rent Commission of the District of Columbia.

Sec. 3. A Commission is hereby created and established to be known as the "Rent Commission of the District of Columbia", which shall be composed of three commissioners, none of whom shall be directly or indirectly engaged in or in any manner interested in or connected with the real estate or renting business. The Commission shall be appointed by the President, by and with the advice and consent of the Senate.

The term of each commissioner shall be for the duration of this act. The Commission shall elect a chairman from its own members. The Commission shall have power and authority to adopt and enforce all such rules and regulations which it finds necessary or suitable to carry out the provisions of this act. All powers and duties of the Commission may be exercised by a majority of its members. Any vacancy in the office of any commissioner shall be filled in the same manner as the original appointment, except that the appointment of the commissioner shall be made only for the

unexpired term of the commissioner whom he succeeds. A vacancy in the Commission shall not impair the right of the remaining commissioners to exercise all the powers of the Commission. The Commission shall have an official seal which shall be judicially noticed.

Sec. 4. Each commissioner shall receive a salary of \$5,000 a year, payable semimonthly. The Commission shall appoint a secretary, who shall receive a salary of \$3,000 a year, and an attorney who shall receive a salary of \$3,500 a year, payable in like manner; and subject to the provisions of the civil-service laws, it may appoint and remove such other officers, examiners, engineers, appraisers, attorneys, employees, and agents and make such expenditures for rent, printing, telegrams, telephone, law books, books of reference, periodicals, furniture, stationery, office equipment, and other supplies and expenses as may be necessary to the administration of this act. The attorney appointed by the Commission shall appeal for and represent the Commission in all judicial proceedings and generally perform such professional duties and services as attorney and counsel for the Commission as may reasonably be required of him by the Commission. All of the expenditures of the Commission shall upon the presentation of itemized vouchers therefor, approved by the chairman of the Commission, be audited and paid in the same manner as other expenditures for the District of Columbia.

Sec. 5. The assessor of the District of Columbia shall serve ex officio as an advisory assistant to the Commission, but he shall have none of the powers or duties of the Commission. The assessor, if required by the Commission, or his designated representatives or agents, if required by the Commission, shall attend such meetings and hearings as the Commission shall require by general or special order. Every officer or employee of the United States or of the District of Columbia whenever required by the Commission shall supply to the Commission any data or information pertaining to the administration of this act. The assessor shall receive, for the performance of the duties required by this section, a salary of \$500 per annum payable monthly in addition to such other salary as may be prescribed for his office by law.

Sec. 6. For the purposes of this act the Commission or any officers, examiners, engineers, appraisers, attorneys, or such other employees or agents, shall at all reasonable times have access to, for the purpose of examination, and the right to copy, any books, account, records, papers, or correspondence relating to any matter which the Commission is authorized to consider or investigate; and the Commission shall have power to require by subpoena the attendance and testimony of witnesses and the production of all such books, accounts, records, papers, or correspondence relating to any such matters. Each member of the Commission may sign subpoenas, administer oaths and affirmations, summon and examine witnesses, conduct hearings, and receive evidence touching any matter which the Commission is authorized to consider or investigate. Any hearing, inquiry, or investigation required or authorized under the provisions of this act may be conducted or made by any individual commissioner, or any examiner, agent, or representative of the Commission or commissioner, and the order, decision, or determination of such commissioner, examiner, agent, or representative shall be deemed the order, decision, or determination of the Commission, unless the Commission on its own motion or on application duly made to it modifies or rescinds such order, decision, or determination.

Such attendance of witnesses and the production of such books, accounts, records, papers, and correspondence may be required from any place in the United States at any designated place of hearing. In case of disobedience to a subpoena or the contumacy of any witness appearing before the Commission, or in case of the failure or refusal to file with the Commission any plans, data, or information required by the Commission under the provisions of this act the Commission may invoke the aid of the Supreme Court of the District of Columbia or of any district court of the United States. Such court may thereupon issue an order requiring the persons subpoenaed to obey the subpoena or to give evidence touching the matter in question or to file such plans, data, or information. Any failure to obey such order of the court may be punished by such court as a contempt thereof. No officer or employee of the Commission shall, unless authorized by the Commission or by a court of competent jurisdiction, make public any information obtained by the Commission. For the purposes of this act it is declared that all rental property is affected with a public interest and that all rents and charges therefor or service in connection therewith and all other terms and conditions of the use or occupancy thereof shall be fair and reasonable, and any unreasonable or unfair provision of a lease or other contract or agreement for the use or occupancy of such rental property with respect to such rents, charges, services, terms, or conditions is hereby declared contrary to public policy. The Commission upon its own initiative may, or upon complaint shall, determine whether the rent, charges, service, and other terms or conditions of a lease or contract or agreement for the use or occupancy of any such rental property are fair and reasonable. Such complaints may be made and filed by or on behalf of any tenant and by or on behalf of the owner of any rental property, notwithstanding the existence of a lease or other contract between the tenant and the owner or between the owner or any guest. The Commission may, and if requested shall, file with its determination a finding of the facts on the evidence presented and upon which its determination is based. Such findings of fact shall set out the following: (1) The fair and reasonable value of the whole property; (2) the allowance for maintenance, repairs, taxes, service, and all other expenses; (3) the separate rentals of the whole property as fixed by the Commission, or if not fixed by the Commission, then as paid by the tenants; (4) the Commission's esti-

mated net return to the owner upon the value as fixed by it; and (5) such other findings of fact as the Commission deems proper to submit. Such findings of fact shall constitute a part of the record of the case. In fixing and determining the fair and reasonable rents or charges for any rental property, hotel, or apartment the Commission shall in all cases take into consideration the character and condition of the property and the character of the service, if any, furnished in connection therewith. In all cases the Commission shall give notice personally or by registered mail and afford an opportunity to be heard to all parties in interest: *Provided, however*, That notice be given by the Commission to an agent collecting rents for his principal shall be deemed and held to be good and sufficient notice to the principal. The Commission shall promptly hear the issues and shall make known its order, decision, or determination within 60 days from the date of the filing of the complaint. The Commission shall promptly hear the issues involved in all complaints submitted to it and shall make known its order, decision, or determination within 60 days from the date of the filing of the complaint. All hearings before the Commission or any commissioner or designated agent or representative shall be open to the public. If the Commission determines that such rents, charges, service, or other terms or conditions are unfair or unreasonable it shall determine and fix such reasonable rent or charges therefor and fair and reasonable service, terms, or conditions of use or occupancy, and may also order and require the furnishing of such service by the owner as it shall lawfully determine to be fair and reasonable for the particular premises involved: *Provided, however*, That the Commission may, in its discretion, determine and fix the reasonable rent, charges, service, or other terms or conditions in any particular unit or units of a rental property without determining or fixing the reasonable rental, charges, services, or other terms or conditions in any other unit or units of such rental property. In any suit in any court of the United States or the District of Columbia involving any questions arising out of the relation of landlord and tenant with respect to any rental property, apartment, or hotel, except on appeal from the Commission's determination as provided in this act, such court shall determine the rights and duties of the parties in accordance with the determination and regulations of the Commission relevant thereto.

SEC. 7. A determination of the Commission fixing a fair and reasonable rent or charge made in a proceeding before it shall be effective from the date of the filing of the complaint, unless in the opinion of the Commission a manifest injustice will result therefrom, in which case the Commission shall fix in its determination the date from which such determination shall be effective. The difference between amount of rent and charges paid for the period from the filing of the complaint to the date of the Commission's determination and the amount that would have been payable for such period at the fair and reasonable rate fixed by the Commission may be added to, or subtracted from, as the case demands, future rent payments or service charges for each subsequent period following such determination until the amount due under said determination shall have been in such manner paid, or in case of the termination of the relation of landlord and tenant between the parties, either party entitled to recover such amount may, at any time after the expiration of the time for an appeal from such determination has expired, bring an action in the municipal court of the District of Columbia: *Provided, however*, That if there be an appeal from the determination of the Commission to the Supreme Court of the District of Columbia, in general term, such additions or subtractions shall not be made nor suit instituted until the final decision of such appeal. The termination of the relation of landlord and tenant between the parties to any cause pending before the Commission shall not deprive either party to the right to a hearing; or subsequent to the Commission's determination therein, to a rehearing; or the right to recover in any action any sum which may be found to be due to either of the parties under such determination.

SEC. 8. Unless within 10 days after the filing of the Commission's determination any party to the complaint appeals therefrom to the Supreme Court of the District of Columbia, in general term, the determination of the Commission shall be final and conclusive. The Supreme Court of the District of Columbia, in general term, is hereby given jurisdiction to hear and determine appeals taken from the determinations and from all other orders whatsoever of a final nature of the Commission, and such appeals shall be given precedence over the other business of the court.

If such an appeal is taken from the determination or other final order of the Commission, the record before the Commission or such part thereof as the court may order shall be certified by it to the court and shall constitute the record before the court, and the Commission's determination or final order shall not be modified or set aside by the court except for error of law.

Appeals shall be determined by the court upon the evidence produced before the Commission and the findings of the Commission: *Provided, however*, That the court may order additional evidence to be taken before the Commission where the court believes that otherwise a grave injustice may be committed. The Commission may modify its findings as to the facts or make new findings by reason of the additional evidence so taken and it shall file such modified or new findings, which shall be conclusive, and its recommendations, if any, for the modification of setting aside of its original determination with the return of such additional evidence.

No determination of the Commission shall be affirmed, set aside, modified, or otherwise reviewed, or its enforcement in any manner stayed, except upon appeal from such determination as provided by this act.

In the proceedings before such court on appeal from determination of the Commission, the Commission shall appear by its attorney or other representative and submit oral or written argument to support the findings and determination of the Commission. No restraining order should be issued or temporary injunction granted against the Commission, except after a hearing, upon 5 days' notice, before at least three judges of the Supreme Court of the District of Columbia, with the opportunity to summon and examine witnesses in open court in support of the allegations of a complaint or petition made under oath, and testimony in opposition thereto, if offered.

SEC. 9. The right of the tenant to the use or occupancy of any rental property existing at the time this act takes effect, or thereafter acquired, under any lease or agreement for such use or occupancy or under any extension thereof by operation of law, shall, notwithstanding the expiration of the term fixed by such lease or contract, continue at the option of the tenant, subject, however, to any determination or regulation of the Commission relevant thereto; and such tenant shall not be evicted or dispossessed so long as he pays the rent and performs the other terms and conditions of the tenancy as fixed by such lease or contract, or in case such lease or contract is modified by any determination or regulation of the Commission, then as fixed by such modified lease or contract.

All remedies of the owner at law or equity, based on any provision of any such lease or contract to the effect that such lease or contract shall be determined or forfeited if the premises are sold, are hereby suspended so long as this act is in force. Every purchaser shall take conveyance of any rental property or apartment subject to the rights of tenants as provided in this title. The rights of the tenant under this act shall be subject to the limitation that the bona-fide owner of any rental property shall have the right to possession thereof if necessary immediately for actual and bona-fide occupancy by himself, or his wife, children, or dependents, or for the making of material repairs or alterations, or for the remodeling or erection of a new building whether or not to be used for rental purposes by the owner or for any other purpose inconsistent with the continued use or occupancy of the existing tenant, if such purpose does not involve unfair discrimination against such tenant and in favor of any subsequent tenant, or if the tenant commits waste, nuisance, breach of peace, or is otherwise disorderly upon the premises, upon giving 30 days' notice in writing, served in the manner provided by section 1223 of the act entitled "An act to establish a Code of Laws for the District of Columbia", approved May 3, 1901, as amended, which notice shall contain a full and correct statement of the facts and circumstances upon which the same is based, but in no case shall possession be demanded or obtained by such owner in contravention of the terms of any lease or contract. If there is any dispute between the owner and the tenant as to the accuracy or sufficiency of the statement set forth in such notice as to the good faith of such demand, or as to service of notice, the matters in dispute shall be determined by the Commission. During the period between the service of the notice and the final decision in the proceedings for the recovery of possession the tenant shall pay to the owner rent in accordance with the terms of the lease or other contract for the use or occupancy of the rental property, or, in case such lease or contract is modified by any determination of the Commission, then in accordance with such modified lease or contract. Acceptance of such rent by the owner shall not be held a waiver by him of any right under the provisions of this section or under the terms of the lease or contract. If any tenant fails so to pay rent to the owner during such period, the rights of the tenant under this section shall cease.

SEC. 10. Pending the final decision on appeal from a determination of the Commission, the Commission's determination shall be in full force and effect and the appeal shall not operate as a supersedeas or in any manner stay or postpone the enforcement of the determination appealed from. This section shall not be held to terminate any right for the recovery of rent in an action in the municipal court of the District of Columbia if such right arose prior to the time that this section takes effect.

In case of the increase of the rent for the use or occupancy of any rental property made by a determination of the Commission from which an appeal is taken by the tenant under the provisions of this title, the tenant shall, from time to time during the period between the filing of the determination and the time when the determination becomes final, and in accordance with the terms of the lease or other contract, pay the Commission the amount of the increase and to the owner the remainder of the amount of rent fixed by the determination. In lieu of such payments the tenant may, in the discretion of the Commission and at the time of taking the appeal, give bond, approved by the Commission, for the payment of the amount of the increase. The disposition of moneys so paid to the Commission and the payments under the terms of the bond shall be made in accordance with the determination of the Commission, as modified by the final decision on appeal. The court shall dismiss the appeal of any tenant who fails to comply with this subdivision.

In case of a decrease of the rent by any such determination, the tenant shall, from time to time during such period and in accordance with the terms of the lease or other contract, pay to the owner the amount of rent fixed by the determination. The difference, if any, between the amount of rent paid during such period and the amount that would have been payable for such period, under the determination as modified in accordance with the final decision on appeal, may be added to future rent payments or sued



for and recovered in an action in the municipal court of the District of Columbia.

Sec. 11. The determination of the Commission in a proceeding begun by complaint or upon its own initiative fixing fair and reasonable rents, charges, service, and other terms and conditions of use or occupancy of any rental property shall constitute the Commission's determination of the fairness and reasonableness of such rents, charges, service, terms, or conditions for the rental property affected, and shall remain in full force and effect notwithstanding any change in ownership or tenancy thereof, unless and until the Commission modifies or sets aside such determination upon complaint either of the owner or of the tenant.

Sec. 12. If, in any proceedings before the Commission involving any lease or other contract for the use or occupancy of any rental property, the Commission finds that at any time after the passage of this act, but during the tenancy, the owner has, directly or indirectly, willfully withdrawn from the tenant any service agreed or required by a determination of the Commission to be furnished, or has by act, neglect, or omission contrary to such lease or contract, or to the law or any ordinance or regulation made in pursuance of law, or of a determination of the Commission, exposed the tenant, directly or indirectly, to any unsafe or insanitary condition or imposed upon him any burden, loss, or unusual inconvenience in condition with his use or occupancy of such rental property, the Commission shall determine the sum which in its judgment will fairly and reasonably compensate or reimburse the tenant therefor. In any such proceeding involving a lease or other contract, the term specified in which had not expired at the time the proceeding was begun, the Commission shall likewise determine the amount or value of any bonus or other consideration in excess of the rental named in such lease or contract received at the time, directly or indirectly, by the owner in connection with such lease or contract. The tenant may recover any amount so determined by the Commission in an action in the municipal court of the District of Columbia in the manner provided for under section 14 of this act.

Sec. 13. The Commission shall by general order, from time to time, prescribe the procedure to be followed in all proceedings under its jurisdiction. Such procedure shall be as simple and summary as may be practicable, and the Commission and parties appearing before it shall not be bound by technical rules of evidence or of pleading.

Sec. 14. Whenever under this act a tenant is entitled to bring suit to recover any sum due him under any determination of the Commission, the Commission shall, upon application by the tenant, and without expense to him, commence and prosecute in the municipal court of the District of Columbia an action on behalf of the tenant for the recovery of the amount due, and in such case the court shall include in any judgment rendered in favor of the tenant the costs of the action, including a reasonable attorney's fee, to be fixed by the court. Such costs and attorney's fee, when recovered, shall be paid into the Treasury of the United States to the credit of the District of Columbia.

Sec. 15. Any person who with intent to avoid the provisions of this act enters into any agreement or arrangement for the payment of any bonus or other consideration in connection with any lease or other contract for the use or occupancy of any rental property, or who participates in any fictitious sale or other device or arrangement the purpose of which is to grant or obtain the use or occupancy of any rental property, without subjecting such use or occupancy to the provisions of this act or to the jurisdiction of the Commission shall upon conviction be punished by a fine not exceeding \$1,000 or by imprisonment for not exceeding 1 year, or by both.

Sec. 16. The Commission shall prescribe standard forms of leases and other contracts for the use or occupancy of any rental property, and shall require their use by the owner thereof. Every such lease or contract entered into after the Commission has prescribed and promulgated a form for the tenancy provided by such lease or contract shall be deemed to accord with such standard forms; and any such lease or contract or in any proceeding before the Commission or in any court of the United States or of the District of Columbia shall be interpreted, applied, and enforced in the same manner as if it were in the form and contained the stipulations of such standard form.

Sec. 17. No tenant shall assign his lease of or sublet any rental property at a rate in excess of the rate paid by him under his lease without the consent of the Commission upon application in a particular case, and in such case the Commission shall determine a fair and reasonable rate of rent or charge for such assignment or sublease. This section shall not be construed as in any way authorizing the assignment of any lease or the subletting of any rental property in violation of the terms of the lease or other contract for the use or occupancy of the rental property or of such lease or contract as extends by operation of law.

Sec. 18. When requested by the Commission the owner of a rental property shall file with the Commission plans and other data under oath descriptive of the rooms, accommodations, and service in connection with such rental property, and a schedule of rates and charges therefor, and such other data as the Commission may deem relevant. The Commission may after consideration of such plans, schedules, data, or other information, determine, and fix a schedule of fair and reasonable rates and charges for such rental property and the rates and charges stated in such schedule shall thereafter constitute the fair and reasonable rates and charges for such rental property. The Commission's determination on such case shall be made after notice and hearing

and shall have the same effect as any other determination of the Commission.

Sec. 19. The sum of \$50,000, or as much thereof as may be necessary, is hereby authorized to be appropriated and made immediately available to carry out the provisions of this act, to be paid out of the revenues of the District of Columbia, and annually thereafter the Commissioners of the District of Columbia shall include in the estimate of appropriations for the District of Columbia such amount as may be necessary.

Sec. 20. The Commission may, upon the request of the President, or from time to time upon its own initiative, make and publish such factual investigations, surveys, and studies on the rental and housing conditions in the District as it may consider necessary and proper to effectuate the purpose of this act.

The Commission shall within 1 year following the enactment of this act report to the Congress the progress of the administration under the provisions of this act and shall make such report annually and upon the termination of the activities of the Commission. The Commission shall make such recommendations to the Congress as it deems necessary for the protection and preservation of the public good.

The Commission may publish its determinations, opinions, rulings, and regulations, all important court and administrative decisions in respect to this act, and such provisions of the law relating to landlords and tenants as the Commission deems advisable, together with a cumulative index digest thereof.

Sec. 21. The provisions of this act shall not apply to a new building in the course of construction at the time of the enactment of this act or commenced thereafter.

Sec. 22. Any violation of this act or of any order of the Commission, committed before the termination of this act, may, after such termination, be prosecuted by and in the name of the Attorney General in lieu of the Commission in the same manner and with the same effect as if this act had not been terminated.

In the case of any proceeding begun under the provisions of this act before the termination of this act, or any proceeding on appeal from a determination of the Commission begun before the termination of this act, such proceeding may, after such termination, be continued in the same manner with the same effect as if this act had not been terminated, and all powers and duties in respect to such proceedings (including the custody and disposition of moneys paid under section 13) vested in the Commission by this act shall for the purposes of such proceedings be vested in the Attorney General.

Any right or obligation based upon any provision of this act or upon any order of the Commission, accrued prior to the termination of this act, may, after the termination of this act, be enforced in the same manner and with the same effect as if this act had not been terminated.

The Attorney General shall, after the termination of this act, appoint the attorney last appointed by the Commission to assist in the enforcement of this act. Such attorney shall continue to receive compensation for such services at the rate of \$3,500 per annum payable semimonthly.

Sec. 23. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

Sec. 24. The right to alter, amend, or repeal any provision of this act is hereby reserved to the Congress.

Sec. 25. This act may be cited as the District of Columbia Emergency Rent Act.

Sec. 26. This act shall take effect immediately.

During the reading of the bill the following proceedings occurred:

Mrs. NORTON. Mr. Chairman, I move that further reading of the bill be dispensed with.

Mr. BLANTON. Mr. Chairman, I make the point of order that the motion of the lady from New Jersey is not in order.

The CHAIRMAN (Mr. UMSTEAD). The point of order is sustained.

Mrs. NORTON. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. BLANTON. Mr. Chairman, believing this bill to be unconstitutional, I object. It ought to be read in order that Members may understand it.

(The Clerk continued the reading of the bill.)

Mr. EKWALL. Mr. Chairman, I move that further reading of the bill be dispensed with.

Mr. BLANTON. Mr. Chairman, I make a point of order against that motion.

The CHAIRMAN. The motion is not in order.

(The Clerk continued the reading of the bill.)

Mr. ELLENBOGEN. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BLANTON. Mr. Chairman, being convinced that the bill is unconstitutional, I am constrained to object.

Mr. O'BRIEN. Mr. Chairman, the regular order.

The CHAIRMAN. The regular order is that the Clerk will read.

(The Clerk continued the reading of the bill.)

Mr. TABER. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. TABER. I suggest that we ought to have a quorum present when such an important bill as this is being read.

The CHAIRMAN. Does the gentleman make the point of order that no quorum is present?

Mr. TABER. I do, Mr. Chairman.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and seventeen Members are present, a quorum.

(The Clerk continued the reading of the bill.)

Mr. HOUSTON. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

Mr. BLANTON. Mr. Chairman, being convinced that the bill is unconstitutional, I object.

(The Clerk continued the reading of the bill.)

Mr. ELLENBOGEN. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BLANTON. Mr. Chairman, reserving the right to object, there has been at last an understanding with the chairman of the committee with regard to time for debate.

Mr. DOBBINS. Mr. Chairman, the regular order.

The CHAIRMAN. The regular order is demanded. Is there objection to the request of the gentleman from Pennsylvania?

Mr. BLANTON. Mr. Chairman, I object. We had an understanding with the chairman, and if that could have been stated, there would have been no objection.

The regular order was demanded.

Mr. BLANTON. Very well, Mr. Chairman. I object.

Mr. ELLENBOGEN. Mr. Chairman, I renew my request. I ask unanimous consent that the further reading of the bill be dispensed with.

Mr. MARTIN of Massachusetts. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is demanded. The Clerk will read.

The Clerk continued the reading of the bill.

Mrs. NORTON (interrupting the reading of the bill). Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with; and pending that I wish to state that we have an agreement about the time.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New Jersey?

Mr. LORD. Mr. Chairman, the bill evidently is unconstitutional. I object.

The Clerk continued reading the bill.

Mr. BLANTON (interrupting the reading of the bill). Mr. Chairman, I move that the Committee do now rise.

The question was taken.

Mr. BLANTON. Mr. Chairman, I ask for a division.

The Committee divided; and there were—ayes 40, noes 33.

Mr. ELLENBOGEN. Mr. Chairman, I make the point of order there is not a quorum present.

The CHAIRMAN. The Chair will count.

Mr. TABER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. Mr. Chairman, I make the point of order that a point of no quorum is not in order after the Committee has determined to rise.

The CHAIRMAN. The point of order is sustained. The vote had already been announced.

Mr. ELLENBOGEN. Mr. Chairman, I ask for tellers.

Mr. BLANTON. Mr. Chairman, I make the point of order that the request comes too late, business having intervened.

The CHAIRMAN. The point of order is overruled. The question is on ordering tellers.

Tellers were ordered, and the Chair appointed as tellers Mrs. NORTON and Mr. BLANTON.

The Committee again divided; and there were—ayes 30, noes 61.

Mr. BLANTON. Mr. Chairman, I object to the vote on the ground there is not a quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and fourteen Members are present, a quorum.

The Clerk continued reading the bill.

Mr. BLANTON (interrupting the reading of the bill). Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. Section 24, which the Clerk is about to read, is so very important that we ought to have exceptionally good order so the membership may hear it.

The CHAIRMAN. The Committee will be in order.

Mr. WADSWORTH. Mr. Chairman, I ask unanimous consent that the Clerk be directed to read section 24 in a loud and resonant voice.

The Clerk read section 24 of the bill.

Mr. WADSWORTH. Mr. Chairman, I ask unanimous consent to make a brief statement.

Mr. ELLENBOGEN. Mr. Chairman, I object.

Mr. WADSWORTH. Mr. Chairman, tremendous issues are brought up in this section. I ask unanimous consent to proceed out of order for 1 minute.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed out of order for 1 minute. Is there objection?

There was no objection.

Mr. WADSWORTH. Mr. Chairman, it is very difficult, indeed, for me to express an opinion in a moment of time on a subject of such terrific importance as that involved in section 24 of this bill. The idea that the Congress should presume to declare in a statute of the United States that it has the right to legislate passes my comprehension, sir. This is going too far. I think something should be done about it, something in the way of a limitation. If I can bring myself to be here when the section is finally reached in the reading of the bill, I propose to offer an amendment by adding these words at the end of the section: "except in leap year." [Laughter.]

The Clerk concluded reading the bill.

Mrs. NORTON. Mr. Chairman, I ask unanimous consent that debate on the bill be limited to 2 hours, 20 minutes of which shall be controlled by the gentleman from Texas [Mr. BLANTON], 20 minutes by the gentleman from New York [Mr. TABER], 30 minutes by myself, and the remainder of the time by my colleague, who is opposed to the bill, the gentleman from Illinois [Mr. DIRKSEN].

Mr. TABER. Mr. Chairman, reserving the right to object, and I am not going to object, I am willing to have this done, but I am afraid it would not be valid, because the committee has not that power.

Mr. LEHLBACH. It has the power by unanimous consent to do anything.

The CHAIRMAN. Is there objection to the request of the gentlewoman from New Jersey?

Mr. LEHLBACH. Mr. Chairman, I object.

The CHAIRMAN. The gentlewoman from New Jersey [Mrs. NORTON] is recognized for 1 hour.

Mrs. NORTON. Mr. Chairman, it is plainly evident that a few Members in this House have misrepresented this bill to so great an extent that they have been successful in wasting almost the entire afternoon in filibustering and in all the other tactics that have been employed to prevent this bill from coming up for consideration, which I regret very much. This is not my bill. I am simply chairman of the District of Columbia Committee, but I have always taken the position that any member of that committee is entitled to bring in a bill and have it fully considered, if and when it has



been fully considered by the committee and favorably reported. I believe that every fair-minded Member of the House will agree that should be done.

Mr. Chairman, the Committee on the District of Columbia has reported this bill out almost unanimously. Of course, I am perfectly well aware that that does not mean anything to certain Members of the House, but we have no dictator in our committee. We believe in fair play. We believe in allowing a bill to be considered on its merits, as I said before. If it is the wish of the Members of this House to vote down this bill, I can assure you that the committee will accept this decision, but I think every fair-minded Member of the House is with me when I say that when the District of Columbia Committee reports bills to the House they should be considered fairly and on their merits. It so happens it is rather remarkable when that does happen. I have seldom known bills which were important to the people of the District of Columbia not being objected to when brought up here for consideration.

We have a very strange sort of government in the District. The people here pay taxes. They are not allowed to say how their money shall be spent; in fact, they are not allowed to say anything about what they want done in the District of Columbia. They have to take what they get. It would seem that this sort of day is one of the best arguments that could be brought forth for giving the District of Columbia people the right to elect a Representative so that they may say for themselves, through their own Representative, what they want and bring into this House sufficient influence to have their bills considered fairly at least.

As I said before, I came here with an open mind on this bill. I think it is a good bill. If I can be convinced it is not a good bill, all right; but, for goodness sake, let us fairly consider the bill. I hold in my hand the correspondence which has come in during the last month from poor tenants who have not a voice in District affairs. These people have been gouged by certain real-estate men in the District. I am not one bit in doubt as to what the reason is for the attitude of certain Members of the House today. Of course, the real-estate people of the District have a lot of influence. They have a lot of influence on a few of the Members of the House, which is the reason this filibuster has been going on. That is the reason the bill has not been permitted to be considered on its merits.

I may say to the Members that last year, when this bill was brought up for consideration, the same thing happened. But we decided at that time that we would wait awhile and see whether or not the real-estate people would themselves do something about this condition. I asked them to consider the bill and to give the tenants some opportunity to present their case—to do something about this great injustice. I was simply laughed at and ignored. They thought there was no chance of the bill even coming before the House; so they did not take me very seriously. In the meantime hundreds of people came to the office and implored me and our committee to do something about the rents that have taxed the poor people in this District. I have hundreds of pathetic appeals in my files from people who knew not where to go for redress.

The real-estate men have been very cute about this matter. Most of them have seen to it that the rents in high-priced apartment houses and hotels have not been raised to any great extent. I do not think they have been. But when you come to the one- and two-room apartments in the city it is a different story. It amounts to a scandal that Federal employees who come here cannot live decently or get a place to cover their heads for less than \$40 or \$50 in any decent respectable community in this city. That \$50 apartment includes one room with a Murphy bed, a bath, and a small kitchenette—just a place to move in.

I leave it to the Members of the House who come from big cities to say how the rents in their respective cities compare with rents in Washington. There is not a city in the country where rents are higher than in the city of Washington, and I know something about the situation. In my city, where we have a high tax rate, you can get three rooms

in a very good neighborhood, heated and in splendid condition, for \$50 a month. In New York City, where taxes also are very high, you can get the same kind of accommodations. Yet here in Washington the poor people cannot get any redress, and they cannot get a place that is decent to live in under \$40 to \$50 a room. Let me say that very few of you would want to live in places that can be secured at that price.

Mr. Chairman, I know the time is getting late, and that it probably will be impossible to vote on the pending bill today, but we are going to bring this bill in again, and we are going to ask the Members of the House to vote on it. I do not think it will be necessary to force the fair Members of the House to give this bill consideration, because I know they have an open mind and will vote as their conscience dictates. But to those who are opposed to the bill, and opposed to it for purely selfish reasons, some of whom own property in the city of Washington, may I say that we shall have a vote on this bill and will decide the bill on its merits? [Applause.]

Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. ELLENBOGEN], the author of the bill.

Mr. LEHLBACH. Mr. Chairman, I make a point of order that the lady has no time under her control which she may yield.

Mr. BLANTON. Mr. Chairman, I ask for recognition against the bill.

The CHAIRMAN. The gentlewoman from New Jersey [Mrs. NORTON] was recognized for 1 hour. The Chair rules that she does have time to yield.

The gentleman from Pennsylvania is recognized for 10 minutes.

Mrs. NORTON. Mr. Chairman, I reserve the balance of my time, outside of the 10 minutes yielded to the gentleman from Pennsylvania [Mr. ELLENBOGEN].

Mr. ELLENBOGEN. Mr. Chairman, I would like to say to my colleagues that some of them are very unfair today. This House organized the Committee on the District of Columbia so that the committee may perform the functions of the House in originating legislation for the District of Columbia. We are carrying your burden. We are doing something in which we have no personal interest, and you owe it to us to give us a fair hearing when we come before you. Let me also add that I have no interest in this bill whatsoever. You can vote it up or down. It does not mean one vote to me either way, but I have brought this bill before you under the leadership of the distinguished gentlewoman from New Jersey, because at least 95 percent of the people of the District demand it. The Washington Central Labor Union has endorsed it. Every organization of Government employees is for it.

Let me also tell you this. There are very few bills for the District of Columbia in which your constituents are interested, but they are interested in this measure because your constituents, composed of over 112,000 Government employees in the District of Columbia, are exploited by unscrupulous landlords, and they are asking your protection. They have a vote and they will go back to their districts and I hope when they judge you they will also consider your vote on this measure. I do not mean this as a threat at all, but the Government employees whom we have brought to Washington have a right to ask us for protection against exorbitant rents.

At the end of January 1936 the United States Bureau of Labor Statistics reported 112,349 Federal employees in the District of Columbia. This total does not include some 12,000 employees of the District government nor several thousand members in the military, legislative, and judicial branches of the Government.

The number of Federal employees in the District has increased from 65,437 in June 1933 to 112,349 in January 1936. This is an increase of 46,912 persons in less than 3 years. This is an increase of over 70 percent in the number of Federal employees since June 1933.

There has been an increase in the number of Federal employees here in the District every month for 32 consecu-

tive months since June 1933. There has been an increase every single month since that date.

This figure of 112,349 for January 1936 is within 5,411 of the all-time peak of Federal Government employment in the District of 117,760 on Armistice Day, 1918. There is every evidence that within 3 months we will have reached the wartime peak.

Are not these facts conclusive evidence that an emergency exists in the District relative to housing conditions? We cannot ignore these facts. Congress must take notice of these conditions and enact legislation to protect the welfare of District residents.

An emergency does exist here in the District. At the hearings on H. R. 3809, an identical bill was reported out by the committee. Mr. James Ring, who assisted the Senate Committee on the District of Columbia and its subcommittee on Rental Investigation in 1932, and who made the survey on "Rent and Housing Conditions in the District of Columbia" for the Public Utilities Commission in 1934, and who is now employed by the Alley Dwelling Authority, testified that in his judgment an emergency exists in the rental situation in the District. At page 11 of the hearings the following appears:

MR. ELLENBOGEN. I gather from your testimony that in your opinion an emergency exists at this time in the rental situation here in the city of Washington?

MR. RING. Yes; I certainly think so.

MR. C. M. Maples, Mr. Robert M. Sentmen, and Mr. Wilbur J. Cohen, representing the Washington Central Labor Union, committee on rents and low-cost housing, all testified at the hearings that an emergency existed. Mr. William Kinney, Mr. Malkin, and Miss Cathryn Wood all supported this view that an emergency exists.

There are more Federal employees in the District right now than at any time during the existence of the former Rent Commission.

Considering all these facts, I am convinced that this legislation is constitutional under the decisions of the United States Supreme Court in *Block v. Hirsh* (256 U. S. 135) and *Marcus Brown Holding Co. v. Feldman* (256 U. S. 170). I am further convinced that this legislation is both socially desirable and necessary. I base my conclusions upon the data and evidence presented before the subcommittee and published in the hearings and the reports of the committee.

MR. HOFFMAN. Mr. Chairman, will the gentleman yield?

MR. ELLENBOGEN. I cannot yield now as I have only 10 minutes.

Let me say something about the constitutionality of the bill.

MR. HOUSTON. Mr. Chairman, will the gentleman yield?

MR. ELLENBOGEN. I will be pleased to yield when I have finished. I have only 10 minutes.

First, about the constitutionality of the bill. Those who say this bill is not constitutional are absolutely wrong and they know it. The Supreme Court of the United States, in the case of *Block v. Hirsh* (256 U. S. 135), has declared a statute in the very same language, under the very same circumstances, constitutional, and now you are going to tell the Supreme Court that its own judgment is wrong.

MR. DIRKSEN. Is the gentleman referring to the wartime measure?

MR. ELLENBOGEN. It was not a wartime measure.

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois?

MR. ELLENBOGEN. Not at this time. I will be pleased to yield later.

The CHAIRMAN. The Chair will ask that the speaker be not interrupted without first addressing the Chair to see whether the speaker will yield or not.

MR. ELLENBOGEN. In October 1919 this House passed, and the Senate concurred, and the President signed a bill which is practically identical. This was 1 year after the armistice, and it was at a time when the emergency in the District of Columbia was not as great as it is today because, today, only one-half of 1 percent of the apartments in Washington are vacant. Do you mean to say that the

law of supply and demand has any chance when only one-half of 1 percent of the property is vacant? Everybody knows that you cannot secure a decent apartment in Washington at a fair rental.

I know the motives of the gentleman from Texas [Mr. BLANTON] are good and I know he has done great things, but I say he is greatly mistaken in this case. This bill is constitutional under the decision of the highest court of the State of New York and the highest court of the United States. The United States Supreme Court in 256 U. S. 135 had substantially the same bill under consideration, and while some gentlemen were wasting time here this afternoon, one Member of the House asked me to see this book and he read this decision and said, "It is as clear as a bell that the bill is constitutional."

In that decision of the Court, delivered by Mr. Justice Holmes, it was said at page 156:

Congress has stated the unquestionable embarrassment of Government and danger to the public health in the existing condition of things. The space in Washington is necessarily monopolized in comparatively few hands, and letting portions of it is as much a business as any other. Housing is a necessity of life. All the elements of a public interest justifying some degree of public control are present.

The former Rent Commission in its report to President Coolidge on May 22, 1925, stated on page 47:

The only effective protection for tenants is rent regulations by an administrative body created by Congress \* \* \*.

The former Rent Commission was even of the opinion that rent regulation could be made permanent legislation under the police power of Congress to legislate for the peace, safety, health, comfort, morals, and welfare of the District.

Now, what does the bill do? The bill sets up a commission of three and this commission is charged with the duty of determining a fair, reasonable rental for the apartments in cases that come before it upon complaint. The landlords are protected because in determining the rental, the Commission must base its decision upon the fair value of the property at the time of the decision and allow a fair return upon the property.

What else can anybody ask? If you own real estate in the District of Columbia, your property will be valued at a fair value and you will be allowed a fair return. Can anybody ask for more?

Oh, yes; some of the gentlemen are going to say that this is going to increase rents and not decrease them. If this is going to increase rents why is the real-estate lobby in Washington up in arms and using every means to defeat the legislation?

You may say that the bill will discourage new building. There is a paragraph in the bill that provides that the power of the Commission does not apply to new buildings. So it will not affect new buildings.

Those Members who think that these terrible rental and housing conditions in the District have existed here for only a short time should read the Report of the Public Utilities Commission on Rent and Housing Conditions in the District of Columbia, published as Senate Document No. 125, in the Seventy-third Congress, second session.

They should read the hearings before a subcommittee of the Senate District Committee on Senate Resolution 248 in the Seventy-second Congress, second session, in 1932. They will become acquainted with facts and conditions that will amaze them.

MR. DIRKSEN. Mr. Chairman, will the gentleman yield?

MR. ELLENBOGEN. In a moment; I shall be very happy to yield, but not at this time.

I now want to say to my distinguished friend from New York [Mr. WADSWORTH] that the purpose of section 24 is this: The Legislature of Maryland passed a statute long ago by which it conferred a charter upon a great university.

And after that had been done, a dispute arose about an amendment to the charter. The case was taken into court, and the court decided that the charter was a contract between the trustees of the University of Maryland and could not be changed.



In determining the value of the property in this bill we felt that it was ordinary caution to reserve the right to change it so that no question of contract would arise. I hope that will satisfy the gentleman from New York. Now, Mr. Speaker, I will yield back the balance of my time to the lady from New Jersey.

Mr. DIRKSEN. Will the gentleman yield?

Mr. ELLENBOGEN. If the gentleman from Illinois will yield me some time when he has it, I shall be most happy to answer any question that may be propounded.

Mr. DIRKSEN. The gentleman from Illinois has no time to yield now.

Mrs. NORTON. I yield the gentleman from Pennsylvania 3 minutes more.

Mr. ELLENBOGEN. I will yield to the gentleman from Illinois for a short question.

Mr. DIRKSEN. How does the gentleman explain away the discrimination in the bill, inasmuch as it does not apply to new buildings? You could have a new house here and an old house there in the same block, and there would be a clear discrimination.

Mr. ELLENBOGEN. I will agree with the gentleman that there is discrimination, but we considered it more important to encourage new building than to do away with the discrimination.

Mr. DIRKSEN. How can you justify that from the point of constitutionality?

Mr. ELLENBOGEN. I will yield to the gentleman from Texas for any question he may desire to propound.

Mr. BLANTON. I do not think there is any question I could ask the gentleman that he could answer satisfactorily to me.

Mrs. NORTON. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. BLANTON. The lady from New Jersey cannot do that.

The CHAIRMAN. The lady from New Jersey has yielded 10 minutes to the gentleman from Illinois [Mr. DIRKSEN]. The Chair recognizes the gentleman from Illinois.

Mr. DIRKSEN. Mr. Chairman and Members of the Committee, my first objection to the bill is that it carries a mixture of rent control and housing, when as a matter of fact, new housing is not at all involved. It is not a question of whether there is ample housing in the District of Columbia, for, if it were, you can find ample evidence in the want-ad section of any Sunday newspaper that ample shelter is available for all. Yesterday I went to the trouble of canvassing all the classified advertising in the Washington Star. I found there are available and for rent at the present time at all prices in a single Sunday edition 106 furnished apartments, 8 unfurnished apartments, 149 unfurnished apartments, 8 suburban apartments, 11 furnished houses, 50 unfurnished houses, 154 houses for sale, including many new houses, and 320 furnished rooms. That is only one of the many Sunday editions of the Washington newspapers, and I fancy that if I had consulted the other Washington newspapers a similar condition would have manifested itself. Nobody can, therefore, come here and contend that there is a shortage of housing in the sense that there is not ample shelter for all of the people who are presently domiciled in the Nation's Capital. That is why this is not a housing bill. This is very essentially and solely and fundamentally a bill to control rents and nothing more, and to that end I wish to address myself. First, may I point out the distinction, as I see it, between a control of rents in 1936 and the control of rentals during wartime? When the war came on there was insufficient housing in the city of Washington. It was not a question of rent, it was a question of not having enough rooms, apartments, and houses to take care of the military personnel that came to this city. A military emergency was involved. It was an outside emergency. We were at war. It was real war. Congress passed the Rent Commission bill that finally got by the Supreme Court, but it was not on all fours with the condition manifest at the present time. Rent was only a part of it, as a matter of fact. There they were dealing with the essential problem of adequate housing.

As a rent-control measure, this bill seeks to set up a commission of three men, who are to receive annual salaries of \$5,000 each, a secretary for \$3,000, and an attorney for \$3,500. This commission is given the power to make every rule and regulation that they see fit in order to control rentals. That commission shall have power not only to make such rules and regulations, but to appoint appraisers, examiners, investigators, and everybody else necessary to get the data whereupon to predicate what they claim to be fair and reasonable rentals. The commission also has authority to call on anybody in the Government, whether it be an officer or an employee, and those people must give testimony. The commission has power to issue subpoenas, and power to go into the court and to punish in case there is contempt of a subpoena. That is a lot of power to confer upon any commission. In addition thereto they have a right to go into the books and records of accounts of anybody not only in Washington, D. C., but in any place in the United States in order to come to some determination on the question of fair and reasonable rentals. You will find that language on page 7. If you followed the reading of the bill at length a little while back, you will have found that it also provides that the commission may, on its own initiative or by complaint, examine into the fairness and reasonableness of established rentals, notwithstanding the existence of a lease. If the commission can dump over summarily a contract or a lease that has been negotiated between the landlord and the tenant, it occurs to me that it violates the due-process clause by taking property without due process of law and by impairing the validity of a contract. Not a person in this Chamber will contend that such a power is constitutional. That is another objection I have to this bill.

Next, Mr. Chairman, it will congest the courts with litigation. Here comes Jones, a tenant, and files a complaint against Joe Brown, the landlord, that his rent is too high. The commission takes jurisdiction. It goes into the matter and seeks to determine the value of the property, the necessity for repairs and services and maintenance, and so forth, and uses that as a basis for a rental, and then the bill provides that the commission shall have the power to fix and determine what the rent shall be. If you were a landlord, you know full well that if you felt that rental was not an adequate return on your invested capital, you would go into the courts and contest such action by the commission. You would appeal to the Supreme Court of the District of Columbia, and the first thing you know that court would be so full of landlord-and-tenant cases it would not have time for any other business.

Mr. ELLENBOGEN. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. You have the right to appeal to the Supreme Court of the District of Columbia.

The CHAIRMAN. Does the gentleman yield to the gentleman from Pennsylvania?

Mr. DIRKSEN. I yield.

Mr. ELLENBOGEN. The bill says that the commission must so fix the rent that it allows a fair and reasonable return upon the property.

Mr. DIRKSEN. And that is only a permissive discretionary power in the hands of the commission.

Mr. ELLENBOGEN. That is mandatory on the commission under the form of the bill.

Mr. DIRKSEN. Your formula is as wide open as that door. The commission has all the discretion in the world within those limits. Who is to determine what is fair and reasonable, and who is to determine what the return on an investment shall be?

Mr. ELLENBOGEN. If the owner claims the return fixed is confiscatory the court can say it is too low, but the commission will probably fix 6 or 7 percent.

Mr. DIRKSEN. The gentleman explains it just as I have explained it. The commission might say that a landlord is entitled to 6 percent on \$100,000 or 20 percent. Who is to determine except the commission?

Mr. MAVERICK. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Will the gentlewoman from New Jersey yield me more time?

Mrs. NORTON. I yield the gentleman 5 additional minutes.

Mr. MAVERICK. I should like to know the gentleman's view on the proposition of leaving out new houses. I do not see why any type of houses should be left out, and I should like to know the gentleman's view upon that.

Mr. DIRKSEN. This bill specifically states, in section 21, on page 23:

This act shall not apply to a new building in the course of construction at the time of the enactment of this act or commenced thereafter.

Now, if you have an existing building on this corner of a block, and I have a new building in the process of construction right next to yours, which will be completed 2 weeks after this act goes into effect, the housing commission can take jurisdiction of your existing building but cannot take jurisdiction of mine. I can discriminate just as freely as I please about rents but you cannot. Does the gentleman think for a moment a bill of that kind can be sustained in the courts, when it does not follow any system of uniformity whatsoever? Certainly not. That is another vital objection to the bill.

Mr. BOILEAU. Will the gentleman yield?

Mr. DIRKSEN. I yield for a question.

Mr. BOILEAU. The gentleman from Pennsylvania said this bill was identical with the bill enacted during the war-time. Was the provision to which the gentleman has just referred in the bill that was before the Supreme Court?

Mr. DIRKSEN. No. This section 21 was put into this bill as a sop to some people who came here and said, "Your housing bill will limit investments; it will frighten away invested capital; it will put a stop to the building boom." So they put that into the bill so that the effect of the activities of the housing commission would not attach to the new building. It is a case of where the subcommittee was between the devil and the deep sea and tried to take both.

Mr. BOILEAU. The gentleman from Pennsylvania [Mr. ELLENBOGEN] gave us his assurance that this bill was identical with the bill that was declared constitutional.

Mr. DIRKSEN. It is not.

Mr. BOILEAU. Does the gentleman say that is a misstatement?

Mr. DIRKSEN. How can it be the same? There was a bill during wartime that was drafted for the purpose of meeting a military exigency. Here is a bill with this euphonious language:

It is hereby declared that the provisions of this act are made necessary by emergencies growing out of the war against the depression, resulting in rental and housing conditions in the District of Columbia dangerous to the general welfare, health, peace, and morals of the public and to public officers.

I wonder whether any court in the land would ever sustain that kind of language and say there is an emergency which the Congress must recognize because there is "a war against the depression"? What strange kind of language that is.

Mr. DOBBINS. Will the gentleman yield for a question?

Mr. DIRKSEN. I yield for a question.

Mr. DOBBINS. Will my colleague inform me to what extent this bill under consideration is identical with any bill which has been declared constitutional?

Mr. DIRKSEN. It just follows in a general way—I think the gentleman from Pennsylvania will bear me out—the war-time statute.

Mr. O'CONNOR. Will the gentleman yield to me?

Mr. DIRKSEN. I yield for a question.

Mr. O'CONNOR. I have had some familiarity with the New York case, which is the Supreme Court case. I had quite a little litigation in connection with it, and I recall it very well. I represented thousands of people under it. There was no suggestion that that was a war measure.

Mr. DIRKSEN. I was not speaking of the New York law.

Mr. O'CONNOR. I was speaking of the New York case. It had no connection with the World War, but the legislature declared an emergency, a shortage of tenements, high prices, and so forth, and the bill was sustained all along the line. I am not talking about the merits of the pending bill, but if this bill were founded upon the New York law, which was held constitutional by the Supreme Court, all this talk about unconstitutionality would not be to the point.

Mr. DIRKSEN. I was not discussing it from the standpoint of the New York case, but from the standpoint of the previous war statute that was in force in 1918 and 1919.

Mr. BOILEAU. Will the gentleman yield to me, Mr. Chairman?

Mr. DIRKSEN. I yield.

Mr. BOILEAU. I should like to ask the gentleman from New York [Mr. O'CONNOR] if the New York case contained a provision to which the gentleman from Illinois [Mr. DIRKSEN] referred about new houses?

Mr. O'CONNOR. I do not recall that.

Mr. BOILEAU. Then if it is dissimilar in that respect, the bills are not similar?

Mr. DIRKSEN. None of these other housing bills had that provision. That was put in there when some of these people were afraid they might put a crimp in the building boom. They came before the subcommittee with a protest and it was put in to beguile them. In so doing the subcommittee has written a discriminatory provision into the bill which simply will not stand up.

Now, before my time expires, may I say that I do not want anyone to feel that I am insensible to or ignorant of the housing conditions in Washington. I was a pioneer in this rent matter 2 years ago. I got out a questionnaire to the officials and stenographers and secretaries and everybody else, and assembled a lot of data. I had it up with the assessor's office down in the District Building in the hope that we could find something with which to get at this rental situation. After much study and consultation I came to the conclusion that a rental commission, instead of doing good, would do a lot of harm, because it would put a limit upon building operations in Washington. It would scare away all investments of capital, so you would be defeating your own purposes. The way to get rents down is to enlarge upon the available amount of housing. People are willing to do it now, because there is a return upon their investment. When you come along with a rent commission vested with plenary power over an investor's property you frighten them into believing that there is going to be a sumptuary, arbitrary limit placed upon the return on their investment, and they are not going to build any more buildings. You simply perpetuate an aggravated condition.

The remedy for this congested condition in Washington is to start demobilizing the alphabetical agencies. [Applause.] Let us send some of these other people out into other sections of the country. We can send some of the Agricultural Department workers down to Chicago and Peoria. We can send some of the T. V. A. workers down to Chattanooga, Nashville, and elsewhere. When we reduce the number of people in Washington we will make it possible for the law of supply and demand again to become operative, and rental conditions will take care of themselves.

We have something like 47,000 more people on the pay roll in Washington today than we had in March 1933, and this is one reason for the congestion in Washington at the present time. Decentralize these agencies and rents will topple overnight. This bill merely recognizes this congestion as a permanent condition.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. SHORT. Has the gentleman in mind the suggestion made by Secretary Ickes that we establish 10 small capitals throughout the United States?

Mr. DIRKSEN. That might be a very splendid suggestion.

Mr. SHORT. Does not the gentleman think it will be much better if we abolished the bureaus altogether?



Mr. DIRKSEN. Well, who knows? But looking at it dispassionately there is only one way we can cure the rental situation in Washington, and that is to decentralize or demobilize the little alphabetical brethren and send many of these people out of the city. By the same token we will be able to solve the traffic problem. The two seem to go together. I do not think we shall remedy either problem by any synthetic or artificial means.

A bill like this, which gives to a commission the power to pry into the records of every man who has a piece of rental property, which gives such a commission the power to subpoena property owners and make them testify down to the smallest detail about their property and its income, together with the light, heat, janitor and maid service, laundry service, telephone service, and what not; which gives to a commission the power to appoint all the appraisers and investigators that it wants without other limitation than the appropriations which are made for it; which gives such a commission power to break leases and contracts in spite of all the law on that subject; which gives such a commission the power to arbitrarily fix rents; which limits all appeal from the actions of the commission to any legal errors in the hearing and testimony; which suspends every legal and equitable remedy which a landlord has is so bad, so vicious, and so unconstitutional that not a court in the land would sustain it, so why enact that kind of legislation. Every landlord and property owner in the city would go to court, with the result that the lawyers would have easy pickings, and no good would be accomplished for those who are the victims of a rent gouge.

May it be said also that there has been no general demand for this bill. In fact, only a few days ago the Federation of Citizens' Associations, representing over 60 public-spirited groups in this city, passed a resolution unequivocally opposing this bill. That would indicate that the citizens who stand to be the supposed beneficiaries of this measure are opposed to it. They no doubt remember the experiences with the war-time Rent Commission, and want no more of it.

Finally, let me emphasize once more that with 112,349 people on the Government pay roll in Washington, which is 47,000 more than were on the rolls on March 9, 1933, when the present administration came into power, there will be no relief from this situation until the alphabet is demobilized or decentralized.

Just at a time when the Nation is clamoring for a widespread building program to lift the country out of the abyss of unemployment and despair, it would be the height of folly and stupidity to frighten investment capital and turn it away from the construction that is now taking place. Establish a rent commission in Washington and you create a precedent for establishing such a commission in every city in the country which may have a similar condition, and the ultimate result would be to bring on an even greater stagnation in the construction industry. This bill is bad, and should be overwhelmingly voted down.

Mrs. NORTON. Mr. Chairman, I reserve the balance of my time.

Mr. BLANTON. Mr. Chairman, I ask recognition.

The CHAIRMAN. Is the gentleman opposed to the bill?

Mr. BLANTON. I am opposed to the bill.

The CHAIRMAN. The gentleman from Texas is recognized for 1 hour.

Mr. BLANTON. Mr. Chairman, I was here during the war, when the other rent bill was passed.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. TABER. I think the Members ought to have the bill explained to them. I have been waiting a long time to hear it explained.

Mr. BLANTON. I am going to explain a part of it in a moment.

Mr. Chairman, I repeat that I was here during the war, when the other rent bill was passed. I was heartily in favor of it. I thought it was outrageous that such rents should be charged as were charged then in Washington. I

thought it would cut down rents, but to my surprise after that rent bill was passed my rent was raised \$25 and "I could take it or leave it"; I could move or pay the increase, and I paid it for a long time.

An expensive bureau was created just like the expensive bureau this bill proposes, and if you think they did not have plenty of employees drawing high salaries, look through the records and see what the pay roll was at that time. Then, they wanted to extend it, and if you will get the record here you will see what kind of a fight Jim Begg, of Ohio, and several of us had over it, as several of us did everything we could on this floor to keep it from being extended.

The Supreme Court held that it being a wartime emergency—only because of that—it was constitutional; but if you will get the opinion you will see that they held clearly and unmistakably that if it had been a peacetime measure it would have been unconstitutional.

Mrs. NORTON. Mr. Chairman, will the gentleman yield at that point?

Mr. BLANTON. Excuse me just a minute, please. The gentlewoman from New Jersey intimates that all those who are opposing this bill, and 70 Members voted not to take it up, are linked up with real-estate men. I have not spoken to a real-estate man in 10 years to know him. If a real-estate man in Washington has spoken to me in 10 years I do not know it. Here is one Member who is not hooked up with them. I do not know to whom the gentlewoman was referring. I do not know why the gentlewoman from New Jersey saw fit to put those insinuations in here.

I want to ask the gentleman from Illinois [Mr. DIRKSEN] if these real-estate sharks have him in tow here?

Mr. DIRKSEN. Not one.

Mr. BLANTON. Have they got the gentleman under their domination?

Mr. DIRKSEN. I have not seen any of them.

Mr. BLANTON. Have they got the gentleman from New York [Mr. TABER] in tow? Why, no! Have they got the gentleman from Minnesota [Mr. KNUTSON]? Why, no! Have they got our friend, the gentleman from Michigan [Mr. HOFFMAN]?

Mr. HOFFMAN. No.

Mr. BLANTON. Have they got our friend, the gentleman from New York [Mr. WADSWORTH], the distinguished gentleman who objected to clause 24 of this bill? No. That insinuation will not hold water. There is nothing to it. There is no foundation for the statement.

Mrs. NORTON and Mr. HOFFMAN rose.

Mr. BLANTON. I shall not yield to the gentlewoman from New Jersey, because she has plenty of time of her own. I yield to the gentleman from Michigan.

Mr. HOFFMAN. I want to know if the charges she made are in violation of rule 363?

Mr. BLANTON. Oh! There is a different rule here for men. Our lady colleague can make any kind of a charge on the floor and get away with it, but we cannot do it.

Mrs. NORTON. Will the gentleman yield?

Mr. BLANTON. I am sorry I cannot.

I want to call attention to this bill. Mr. Chairman, I fought this kind of a bill a long time before the gentlewoman from New Jersey came to Congress. If she will look back to the time right after the war, she will find that I did everything on earth to stop that bill from being extended; and we finally did kill the bill. It took us years and years to get rid of that expensive bureau with men and women drawing \$5,000, \$6,000, and \$7,500 a year.

I want to show you just one provision of this bill. Besides having three commissioners drawing \$5,000 each, a secretary drawing \$3,000 a year, and an attorney drawing \$3,500 a year, let me show you what power they give to this bureau:

It may appoint and remove such other officers, examiners, engineers, appraisers, attorneys, employees, and agents, and make such expenditures for rent, printing, telegrams, telephone, law books, books of reference, periodicals, furniture, stationery, office equipment, and other supplies and expenses as may be necessary to the administration of this act.

They are the ones who are going to say what shall be necessary. Oh, they say the act of 1923 will govern salaries. Outrageous salaries under such act can be paid.

Mr. ELLENBOGEN. Will the gentleman yield? I know he wants to be fair.

Mr. BLANTON. If the gentleman knew the facts, he would realize that I have been fighting in the United States of America for 55 years before he ever started a fight here. For 55 years in the United States have I been fighting before he ever started one over here. He ought to stay here longer and get better acquainted with the institutions of this country before he tries to put European conditions and institutions in here. We do not want any of this European stuff here.

Mr. ELLENBOGEN. Will the gentleman yield? The gentleman spoke about me and fairness demands that he yield to me.

Mr. BLANTON. Certainly, I will, if the gentleman puts it that way. What has the gentleman to say?

Mr. ELLENBOGEN. I know the gentleman has made a splendid fight in the Congress and deserves to be returned here by his constituents.

Mr. BLANTON. Oh, I will be, unless slush funds from Townsends and public-utility money keeps me from returning.

Mr. ELLENBOGEN. But sometimes the gentleman may be mistaken. On this point the gentleman knows that in section 19 the maximum amount to be spent by this commission is limited to \$50,000, and the gentleman also knows they must come before the gentleman as chairman of the Subcommittee on Appropriations for the District of Columbia. If they cannot show that they need the money, they will not get it.

Mr. BLANTON. Here is the answer, if the gentleman—

Mr. ELLENBOGEN. Mr. Chairman, I ask that the language be taken down.

Mr. BLANTON. Oh, I want the gentleman to understand me.

Mr. ELLENBOGEN. Mr. Chairman, I demand that the gentleman's language be taken down.

Mrs. NORTON. Mr. Chairman, I move that the Committee do now rise.

Mr. ELLENBOGEN. Mr. Chairman, a point of order. I ask that the gentleman's language be taken down. It is a violation of the rules of the House, and in the meantime I demand that the gentleman take his seat.

The CHAIRMAN. The Clerk will report the words objected to.

The Clerk read as follows:

Mr. BLANTON. Here is the answer, if the gentleman can understand English.

The Committee rose and the Speaker pro tempore (Mr. O'CONNOR) having assumed the chair, Mr. UMSTEAD, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee having had under consideration the bill (H. R. 11563), certain words used in debate were objected to and on request were taken down and read at the Clerk's desk and he reported the same to the House herewith.

The SPEAKER pro tempore. The Clerk will report the words objected to.

The Clerk read as follows:

Mr. BLANTON. Here is the answer, if the gentleman can understand English.

The SPEAKER pro tempore. The Chair is ready to rule. The Chair sees nothing objectionable in the words used.

The Committee will resume its session.

Accordingly, the Committee resumed consideration of the bill (H. R. 11563) with Mr. UMSTEAD in the chair.

The CHAIRMAN. The gentleman from Texas will proceed.

Mrs. NORTON. Mr. Chairman, I move that the Committee do now rise.

The CHAIRMAN. The gentleman from Texas has the floor.

Mr. BLANTON. Mr. Chairman, in fairness to the gentleman from Pennsylvania, although the Chair has ruled that my words are in order, when I revise my remarks, I intend to eliminate those words from my remarks.

Mr. Chairman, the answer to my friend from Pennsylvania is this. Whenever you pass a law that authorizes an agency of the Government to make contracts with people, the Congress always backs up those contracts and appropriates sufficient money to pay them. Why, when the Supreme Court held the A. A. A. to be unconstitutional, you saw this Congress appropriate \$277,000,000 to pay those contracts with the farmers, even when they were unlawful and unconstitutional. And should you pass this law, and this commission should appoint a lot of high-standard officers, Congress will pay the bill.

Under the 1923 Classification Act such an officer could get \$7,500 a year and it would be lawful if they gave it to him. Who is going to say how many they shall appoint? They are, and they could appoint 500 if they wanted to. There is no limitation placed on them by the Congress.

Who is going to say how many examiners they shall appoint or what salaries they shall be paid? Why, there are some examiners here right now drawing \$5,000 a year from this Government, who come under the 1923 Classification Act. This rent commission is to say how many shall be appointed and what they shall be paid.

Who is to say how many engineers they may appoint? Why, they can appoint 500 if they want to. They can pay them \$7,500 a year if they want to. The 1923 act does not stop them from doing this, if they say the engineers are to be the kind that get such salaries. This act does not say how many they shall appoint and it is without number.

How many appraisers shall they appoint? As many as they want to, and under the act of 1923, they can make the salaries pretty high.

How many attorneys shall they appoint? Just as many as they want. How much shall they pay them? Just whatever they want, because under the Classification Act, under just such language, there was one attorney appointed who was paid \$16,500 a year, and they can appoint just as many of them as they want.

This is the answer I make to the gentleman from Pennsylvania.

Let us see further. How many employees and agents shall they appoint? Just as many as they want, and the salaries can be large enough, under the Classification Act.

How large an expenditure can they make for rent? I can remember during the war when we appointed Herbert Hoover food administrator, do you know the first thing he did? He went down here on Pennsylvania Avenue NW. and rented that old red brick hotel there and paid three times what it was worth. He let the owner move out every bit of furniture from the top to the basement and he replaced it with fine, new furniture, and built a fine conservatory there that cost \$25,000.

This is what they can do under such acts as this. I have been here a long time. I know what they can do better than my friend from Pennsylvania.

Look at all these expenses they can incur for printing and telegrams and telephones and law books and books of reference and periodicals and furniture and stationery and office equipment and other supplies. Under such general terms they could spend millions of dollars.

Are you going to vote for this kind of bill? I am not. I have no fight to make against the distinguished gentleman from New Jersey. She has a right to bring this bill in if she wants to. I would not have done it if I had been chairman. I would have stopped it in committee, but she has that right.

I have nothing against the distinguished gentleman from Pennsylvania. He knows that I protected him last week on a matter that was dear to his heart. He knows I protected him because I was his friend.

Mrs. NORTON. Mr. Chairman, will the gentleman yield? Mr. BLANTON. I am sorry, but I cannot now. I am going to finish in a moment.



Mrs. NORTON. I think in all fairness the gentleman ought to yield for a question.

Mr. BLANTON. I will yield if the lady will let me read a telegram she sent from Boston about 3 weeks ago.

Mrs. NORTON. I shall be glad to.

Mr. BLANTON. I yield.

Mrs. NORTON. I was about to say that "the lady from New Jersey" never believes in being a dictator on the committee, and that is the reason she brought the bill in so that the House could have a chance to vote the bill up or vote it down.

Mr. BLANTON. I am not a dictator. I suppose the lady refers to the appropriation bill that I brought in the other day as chairman of the subcommittee. The membership could have torn it all to pieces if they had wanted to, but they did not do it. The Members in this House control their own votes. Yet they passed it by the vote of 290 for to only 26 votes against when the lady forced the roll call.

Mrs. NORTON. You would not allow the lady from New Jersey to have anything to say on it.

Mr. BLANTON. Because debate had been exhausted. The Federation of Citizens' Associations here is composed of 63 organizations in Washington. The lady from New Jersey said that the people wanted this bill. The Federation of Citizens' Associations met last Saturday night and passed a resolution condemning this bill.

The doctors had a mass meeting here on February 16 and attacked the President's Budget. The meeting was a flop. There were only a few doctors there with their wives, nurses, and friends, yet here is a telegram the lady sent them from Boston, and it was read at that meeting:

BOSTON, MASS., February 16, 1936, 2:42 p. m.

Dr. STERLING RUFFIN,

Medical Society Meeting, Central High School:

Regret engagement prevents my attending your meeting. Sincerely hope that from it will come a reaction so strong that it will compel adequate appropriations for the very necessary improvements to our hospital facilities in Washington.

MARY E. NORTON.

In other words, she wanted that mass meeting to "compel" Congress to do what the doctors wanted done.

Mrs. NORTON. Will the gentleman yield?

Mr. BLANTON. Did the lady send that telegram?

Mrs. NORTON. I certainly did, and I am very proud to acknowledge that I sent it. [Applause.] I wanted the membership of the House to know the condition in the hospitals, for I knew if they did they would rise up as one man and denounce the reduction of the hospital appropriation to help the poor people of this District. I thank the gentleman for reading the telegram. [Applause.]

Mr. BLANTON. I went there to keep them from attacking our President and his Budget. It was our President's Budget these doctors were attacking. I went there to keep these sixty-odd doctors who are on the District pay roll here from attacking the President's Budget.

Now, I am not going to take any more time. I am against this bill. I do not believe it ought to pass. I have been against it ever since I found out that it will raise rents and not lower them. It would increase rents, make times harder, put an expensive bureau in existence which would take 10 years to get rid of. It will be declared unconstitutional by the Supreme Court. I reserve the balance of my time, Mr. Chairman; how much time have I remaining?

The CHAIRMAN. The gentleman has used 20 minutes and has 40 minutes remaining.

Mr. BLANTON. I reserve the balance of my time.

Mrs. NORTON. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The lady from New Jersey has 27 minutes remaining.

Mrs. NORTON. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose, and Mr. O'CONNOR having taken the chair as Speaker pro tempore, Mr. UMSTEAD, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under

consideration the bill H. R. 11563, declaring an emergency in the housing condition in the District of Columbia, creating a rent commission for the District of Columbia, prescribing powers and duties of the commission, and for other purposes, and had come to no resolution thereon.

#### LEGISLATIVE APPROPRIATION BILL, 1937

Mr. SNYDER of Pennsylvania, from the Committee on Appropriations, reported the bill (H. R. 11691, Rept. No. 2147), making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1937, and for other purposes, which was read a first and second time, and with the accompanying papers referred to the Committees of the Whole House on the state of the Union and ordered printed.

Mr. POWERS. Mr. Speaker, I reserve all points of order on the bill.

#### VETERANS' ORGANIZATIONS SUPPORT PURCHASE OF AMERICAN-MADE GOODS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein certain correspondence between myself and the national commander of the American Legion, the national commander of the Veterans of Foreign Wars, and others, on the subject of Buy American.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following correspondence between myself and officers of veterans' organizations on the subject of Buy American. This correspondence includes a letter sent to the Honorable James E. Van Zandt, commander in chief, Veterans of Foreign Wars, and the Honorable Ray Murphy, national commander of the American Legion, with their replies, and also a letter received from national officers of the Army and Navy Union of the United States and my answer thereto:

FEBRUARY 5, 1936.

HON. JAMES E. VAN ZANDT,

Commander in Chief, Veterans of Foreign Wars,  
Tower Building, Washington, D. C.

MY DEAR COMMANDER VAN ZANDT: Now that the bonus bill has been enacted into law and the payment of the adjusted compensation to the veterans becomes a reality, I want to take this opportunity to stress the great service our veterans can render by using this money to purchase American-made goods.

As you know, our American industries have suffered greatly from foreign competition and need the cooperation of our American people at this time to bring about industrial improvement, increased employment, and a return to prosperity.

I feel confident that the Veterans of Foreign Wars will want to render this further patriotic service and unite in an effort to make the "Buy American" campaign a real success.

Very sincerely yours,

JENNINGS RANDOLPH.

#### VETERANS OF FOREIGN WARS OF THE UNITED STATES,

February 8, 1936.

HON. JENNINGS RANDOLPH,

Member of Congress, Washington, D. C.

MY DEAR CONGRESSMAN RANDOLPH: This will acknowledge your letter of February 5, and you may be sure that the Veterans of Foreign Wars will cooperate in an effort to make the Buy-American campaign a success.

Thanking you for writing to me, and with kind regards, I remain  
Very sincerely,

JAMES E. VAN ZANDT,  
Commander in Chief.

THE AMERICAN LEGION,  
February 14, 1936.

HON. JENNINGS RANDOLPH,

House Office Building, Washington, D. C.

DEAR CONGRESSMAN RANDOLPH: I thank you very much for your letter of February 5, in which you emphasize the great service veterans can render by using the money they receive through payment of the adjusted-service certificates for the purchase of American-made goods.

I think you will be interested to read the following standing mandate of the American Legion:

"Resolved by the American Legion in convention assembled in Chicago, October 2-5, 1933, That the Buy American movement be endorsed, and its endorsement and promotion by departments and posts be encouraged."

As you suggest, I think it is most fitting that we should call this mandate to the attention of the entire membership of the American Legion at this time and to give emphasis to its importance.

I am referring this matter to Mr. Harold K. Phillips, national publicity director, with the request that he give publicity to the above mandate through all Legion channels, including our national newspaper, the National Legionnaire, which goes to all members.

Very sincerely yours,

RAY MURPHY,  
National Commander.

NATIONAL CORPS,  
ARMY AND NAVY UNION, U. S. A.,  
March 6, 1936.

HON. JENNINGS RANDOLPH,  
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: The following is a copy of the stand taken by our national organization on the "Buy American" campaign:

To buy American goods and products is tantamount to buying jobs for the unemployed.

We are pointing out to the American buying public that to buy American-manufactured goods means employment for the millions of Americans who want work so badly.

If every veteran receiving his bonus will endeavor to ascertain before he makes a purchase that the article bears the "Made in America" label, a real spurt will be seen in the sale of American goods.

It is our purpose to campaign and teach the gospel of buying American products, made and produced in America by American workmen, is the prime requisite, in the uphill battle to impress upon our citizens that by this peaceful method prosperous times can be with us again.

We also believe in: If charity begins at home, then surely the same rule applies as regards the purchasing of commodities.

The most important thing to remember in these troubled times is that American people want unemployment eliminated, and millions want jobs, and American business institutions want to sell what they have on their shelves.

In closing this letter to you we are for the following: "The theme song of our everyday buying should be until the ranks of unemployed Americans are thinned to a scattered few, we shall buy American goods and create jobs." We wish you to know how much we appreciate your action in taking the leading role in this great undertaking of teaching and bringing home to our people the need to "Buy American."

Yours for a worthy cause,

ROBERT SHRAGE,  
National Commander.  
JOHN J. CRIM,  
National Legislative Chairman

MARCH 8, 1936.

MR. JOHN J. CRIM,  
1314 Vermont Avenue NW., Washington, D. C.

MY DEAR JOHN: I deeply appreciate your splendid communication of March 6 in which your organization expresses its splendid attitude on the "Buy American" campaign. I am certain your organization can be of much help.

Sincerely yours,

JENNINGS RANDOLPH.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. FITZPATRICK, for 4 days, on account of the death of his brother.

To Mr. LANHAM, for today, on account of illness.

To Mr. GRAY of Indiana, for 1 week, on account of illness.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3483. An act to provide for rural electrification, and for other purposes; to the Committee on Interstate and Foreign Commerce.

#### ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 8886. An act to authorize the coinage of 50-cent pieces in commemoration of the sesquicentennial anniversary of the founding of the capital of South Carolina at Columbia, S. C.; and

H. R. 10265. An act to authorize the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of the Treasury to lend Army, Navy, Coast Guard, and other needed equipment for use at the National Jamboree of the Boy Scouts of America; and to authorize the use of property in the District of Columbia and its environs by the Boy Scouts of America at their national jamboree to be held during the summer of 1937.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 8886. An act to authorize the coinage of 50-cent pieces in commemoration of the sesquicentennial anniversary of the founding of the city of Columbia, S. C.; and

H. R. 10265. An act to authorize the Secretary of War, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, and the Secretary of the Treasury to lend Army, Navy, Coast Guard, and other needed equipment for use at the National Jamboree of the Boy Scouts of America; and to authorize the use of property in the District of Columbia and its environs by the Boy Scouts of America at their national jamboree to be held during the summer of 1937.

#### ADJOURNMENT

Mrs. NORTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 31 minutes p. m.) the House adjourned until tomorrow, Tuesday, March 10, 1936, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

701. A letter from the director of the national legislative committee of the American Legion, transmitting in accordance with the act of incorporation of the American Legion, Public Law No. 47, Sixty-sixth Congress, the report of the Seventeenth Annual National Convention; proceedings of that convention and financial statement covering the first 9 months of 1935, up to and including September 30, 1935; to the Committee on World War Veterans' Legislation.

702. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1936, to remain available until expended, amounting to \$440,000,000, for the Department of Agriculture to carry into effect the provisions of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936 (H. Doc. No. 422); to the Committee on Appropriations and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. DOBBINS: Committee on the Post Office and Post Roads. H. R. 9496. A bill to protect the United States against loss in the delivery through the mails of checks in payment of benefits provided for by laws administered by the Veterans' Administration; with amendment (Rept. No. 2143). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUCHANAN: Committee on Appropriations. House Joint Resolution 514. Joint resolution authorizing the completion of certain records and operations resulting from the administration of the Kerr Tobacco Act, the Bankhead Cotton Act of 1934, and the Potato Act of 1935 (repealed), and making funds available for those and other purposes; with amendment (Rept. No. 2144). Referred to the Committee of the Whole House on the state of the Union.

Mr. DEMPSEY: Committee on the Public Lands. H. R. 11642. A bill to change the name of the Department of the Interior, to be known as the Department of Conservation; without amendment (Rept. No. 2146). Referred to the House Calendar.

Mr. SNYDER of Pennsylvania: Committee on Appropriations. H. R. 11691. A bill making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1937, and for other purposes; without amendment (Rept. No. 2147). Referred to the Committee of the Whole House on the state of the Union.



# REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. PERKINS: Committee on the Judiciary. H. R. 399. A bill for the relief of A. F. Amory; with amendment (Rept. No. 2145). Referred to the Committee of the Whole House.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAAS: A bill (H. R. 11681) to provide for the reorganization, administration, and maintenance of the United States Naval Reserve, the United States Marine Corps Reserve, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 11682) to establish a graded retired list for the enlisted men of the United States Navy; to the Committee on Naval Affairs.

By Mr. DIMOND: A bill (H. R. 11683) to provide for the establishment of a Coast Guard station on the coast of Alaska, at or near the city of Nome, Alaska; to the Committee on Merchant Marine and Fisheries.

Also, a bill (H. R. 11684) to amend the act of Congress approved June 30, 1932, entitled "An act providing for the transfer of the duties authorized and authority conferred by law upon the Board of Road Commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes" (47 Stat. 446); to the Committee on the Territories.

By Mr. GREENWOOD: A bill (H. R. 11685) to extend the times for commencing and completing the construction of a bridge across the Wabash River at or near Merom, Sullivan County, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. MEAD: A bill (H. R. 11686) fixing annual compensation for postmasters of the fourth class; to the Committee on the Post Office and Post Roads.

By Mr. CARTWRIGHT: A bill (H. R. 11687) to amend the Federal Aid Highway Act, approved July 11, 1916, as amended and supplemented, and for other purposes; to the Committee on Roads.

By Mr. TERRY: A bill (H. R. 11688) providing for a change in the design of the 50-cent pieces authorized to be coined in commemoration of the one hundredth anniversary of the admission of the State of Arkansas into the Union; to the Committee on Coinage, Weights, and Measures.

By Mr. STEAGALL: A bill (H. R. 11689) to amend title I of the National Housing Act, and for other purposes; to the Committee on Banking and Currency.

By Mr. SUMNERS of Texas: A bill (H. R. 11690) relating to the admissibility in evidence of certain writings and records made in the regular course of business; to the Committee on the Judiciary.

By Mr. SNYDER of Pennsylvania: A bill (H. R. 11691) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1937, and for other purposes; to the Committee on Appropriations.

By Mrs. NORTON (by request): A bill (H. R. 11692) to provide for lunacy proceedings in the District of Columbia; to the Committee on the District of Columbia.

By Mr. IGLESIAS: A bill (H. R. 11693) to amend the Revenue Act of 1926, as amended, to exempt persons traveling between Puerto Rico and the continental United States from the payment of a stamp tax on steamship tickets; to the Committee on Ways and Means.

By Mr. CALDWELL: Resolution (H. Res. 442) requesting the President, if not incompatible with the public interest, to inform the House of Representatives whether the Federal Communications Commission has ordered or requested the filing of contracts under section 211 (a) of the Communications Act of 1934; to the Committee on Interstate and Foreign Commerce.

By Mr. TERRY: Joint resolution (H. J. Res. 516) to extend the jurisdiction of the Mississippi River Commission to Fort Smith on the Arkansas River; to the Committee on Flood Control.

By Mr. MONTET: Joint resolution (H. J. Res. 517) to provide for the modification of the contract of lease entered into on June 12, 1922, between the United States and the Board of Commissioners of the Port of New Orleans; to the Committee on Military Affairs.

## MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: A memorial of the Legislature of the State of Massachusetts memorializing Congress against legislation violating the letter or spirit of neutrality; to the Committee on Foreign Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 11694) granting a pension to Inez Palmer; to the Committee on Pensions.

By Mr. BREWSTER: A bill (H. R. 11695) to provide for the issuance of a license to practice the healing art in the District of Columbia to Dr. Ralph Charles Stuart; to the Committee on the District of Columbia.

By Mr. COLE of New York: A bill (H. R. 11696) granting an increase of pension to Elmira M. Webb; to the Committee on Invalid Pensions.

By Mr. CELLER: A bill (H. R. 11697) for the relief of Caroline V. Tucker; to the Committee on Claims.

By Mr. DUNCAN: A bill (H. R. 11698) granting an increase of pension to Martha Graves; to the Committee on Invalid Pensions.

By Mr. GILLETTE: A bill (H. R. 11699) to correct the enlistment record of Robert O. Anderson; to the Committee on Military Affairs.

By Mr. GREENWOOD: A bill (H. R. 11700) renewing and extending patent no. 980639; to the Committee on Patents.

Also, a bill (H. R. 11701) for the relief of the Indiana Limestone Corporation; to the Committee on Claims.

By Mr. JOHNSON of West Virginia: A bill (H. R. 11702) for the relief of James Monroe Caplinger; to the Committee on Claims.

Also, a bill (H. R. 11703) granting an increase of pension to Charles Adkins; to the Committee on Pensions.

By Mr. KEE: A bill (H. R. 11704) for the relief of the widow of Leslie Brandebury Rucker; to the Committee on Claims.

By Mr. MONAGHAN: A bill (H. R. 11705) for the relief of Margaret Murphy; to the Committee on Claims.

By Mr. O'CONNELL: A bill (H. R. 11706) for the relief of John W. Costigan; to the Committee on Military Affairs.

By Mr. PERKINS: A bill (H. R. 11707) for the relief of Amelia Corr; to the Committee on Claims.

Also, a bill (H. R. 11708) for the relief of Charles H. K. Riley; to the Committee on Claims.

By Mr. PATTERSON: A bill (H. R. 11709) for the relief of F. M. Loeffler; to the Committee on Claims.

Also, a bill (H. R. 11710) granting a pension to Eliza P. Cupp; to the Committee on Invalid Pensions.

By Mr. SMITH of Washington: A bill (H. R. 11711) granting a pension to Claud H. Weir; to the Committee on Pensions.

By Mr. SUMNERS of Texas: A bill (H. R. 11712) for the relief of Shelby S. Bruce; to the Committee on Military Affairs.

By Mr. SNELL: A bill (H. R. 11713) granting an increase of pension to Abbigail J. Brownson; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

10411½. By Mr. BIERMANN: Petition signed by residents of Lake Istolpoga, Fla., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10412. By Mr. BLOOM: Petition of representatives of all the insular and municipal employees of Bayamon, P. R., favoring an amendment of the Organic Act so that a public welfare department may be created in Puerto Rico, requesting that Puerto Rico be included in any new legislation in regard to relief which might be presented in the House of Representatives, and urging that the Federal Social Security Act be extended to Puerto Rico; to the Committee on Insular Affairs.

10413. Also, petition of the farmers of Bayamon, P. R., urging that Puerto Rico be included in any new legislation relative to relief which might be presented in the House of Representatives; requesting an extension of the benefits of the Federal Social Security Act to Puerto Rico; and favoring an amendment to the Organic Act so that a public welfare department may be created in Puerto Rico; to the Committee on Insular Affairs.

10414. By Mr. DE ROUEN: Petition of the New Orleans Spot Cotton Merchants Association, adopted February 28, 1936, regarding cotton-futures contracts; to the Committee on Agriculture.

10415. By Mr. DORSEY: Resolution of the State Council of Fraternal Patriotic Americans of the State of Pennsylvania, unalterably opposing the enactment of the Kerr-Coolidge bill (S. 2969 and H. R. 6795); to the Committee on Immigration and Naturalization.

10416. By Mr. EICHER: Petition signed by residents of Bridgewater, Va., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10417. By Mr. ELLENBOGEN: Petition by residents of New York City, N. Y., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10418. By Mr. FLETCHER: Petition signed by residents of Minneapolis, Minn., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10419. Also, petition signed by residents of Landisburg, New Bloomfield, Loysville, Green Park, and Ellitsburg, Pa., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10420. Also, petition signed by residents of New Haven, Conn., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10421. Also, petition signed by residents of Atlanta, Ga., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10422. By Mr. GEHRMANN: Petition signed by residents of Loma Vista, Pasadena, and Los Angeles, Calif., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10423. By Mr. GILLETTE: Petition signed by residents of Cincinnati, Ohio, protesting against the military disaffection bill (S. 2253) and Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10424. By Mr. GREENWOOD: Petition of residents of star route no. 33169, to extend existing star-route contracts and to increase the compensation of star-route carriers; to the Committee on the Post Office and Post Roads.

10425. By Mr. HAINES: Petition from Woman's Christian Temperance Union organizations in York County, Pa., urging enactment of House bill 8739; to the Committee on the District of Columbia.

10426. By Mr. LUCKEY: Petition signed by residents of Scranton, Pa., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10427. By Mr. LUDLOW: Petition signed by residents of New York City, N. Y., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10428. By Mr. McCORMACK: Memorial of the General Court of Massachusetts, memorializing Congress against legislation violating the letter or spirit of neutrality; to the Committee on Foreign Affairs.

10429. By Mr. MARTIN of Massachusetts: Memorial of the General Court of Massachusetts, urging defeat of legislation violating the letter or spirit of neutrality; to the Committee on Foreign Affairs.

10430. By Mr. MONAGHAN: Petition signed by residents of Minneapolis, Minn., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10431. Also, petition of patrons of star route no. 63222, from Camas to Plains, Mont., favoring enactment of legislation at this session that will indefinitely extend all existing star-route contracts and increase the compensation thereon to an equal basis with that paid for other forms of mail transportation; to the Committee on the Post Office and Post Roads.

10432. By Mr. MAVERICK: Petition signed by residents of Arlington and Manchester, Vt., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10433. Also, petition of residents of Sharon, East Troy, Elkhorn, and Williams Bay, Wis., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10434. Also, petition of residents of Greencastle, Ind., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10435. Also, petition of residents of Shelton, Ansonia, Seymour, Orange, Norwalk, New Haven, and Putnam, Conn., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10436. Also, petition of residents of Lancaster, Akron, York, and Mount Joy, Pa., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10437. Also, petition of residents of Burbank, Pasadena, Glendora, San Gabriel, and Los Angeles, Calif., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10438. Also, petition of residents of Roanoke and Salem, Va., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10439. Also, petition signed by residents of Salem, South Salem, and Roanoke, Va., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10440. Also, petition of residents of Philadelphia, Pa., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10441. Also, petition of residents of Pasadena, South Pasadena, Hollywood, and Los Angeles, Calif., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10442. By Mr. MARTIN of Colorado: Petition signed by Mr. Crawford and residents of Bridgewater and Meyers Cave, Va., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10443. By Mrs. O'DAY: Petition signed by residents of Sunnyside, Long Island, N. Y., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10444. Also, petition signed by residents of Palo Alto, Calif., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10445. Also, petition signed by residents of Denton, Md., protesting against the military disaffection bill (S. 2253) and



the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10446. By Mr. O'MALLEY: Petition signed by residents of New York City and Brooklyn, N. Y., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10447. By Mrs. ROGERS of Massachusetts: Petition of the General Court of the Commonwealth of Massachusetts, memorializing Congress against legislation violating the letter or spirit of neutrality; to the Committee on Foreign Affairs.

10448. By Mr. SCHNEIDER of Wisconsin: Petition signed by residents of Brooklyn, N. Y., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10449. By Mr. SCOTT: Petition signed by residents of Columbus, Ohio, protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10450. Also, petition signed by residents of Scranton, Pa., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10451. Also, petition signed by residents of Alhambra, San Gabriel, San Pedro, Los Angeles, and San Francisco, Calif., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10452. Also, petition signed by residents of Philadelphia, Pa., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10453. By Mr. SHORT: Petition of 39 patrons of star route no. 45420, Cato to Cassville, Mo., supporting legislation providing for permanent tenure of service on star routes and pay based upon that of other forms of United States mail transportation; to the Committee on the Post Office and Post Roads.

10454. Also, petition of 21 residents of Dallas County, Mo., supporting legislation providing for permanent tenure of service on star routes and pay based upon that of other forms of United States mail transportation; to the Committee on the Post Office and Post Roads.

10455. By Mr. THOMASON: Petition of citizens of Sierra Blanca, Tex., urging passage of House bill 3263, to amend the fourth section of the Interstate Commerce Act; to the Committee on Interstate and Foreign Commerce.

10456. By Mr. WEARIN: Petition signed by residents of Bridgewater and Dayton, Va., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10457. By Mr. WITHROW: Petition signed by residents of New York City, N. Y., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10458. By Mr. WIGGLESWORTH: Petition of the General Court of Massachusetts, memorializing Congress against legislation violating the letter or spirit of neutrality; to the Committee on Foreign Affairs.

10459. By the SPEAKER: Petition of the Alfred Gooding Guild, Young People's Religious Union of the South (Unitarian) Church, of Portsmouth, N. H.; to the Committee on Foreign Affairs.

10460. Also, petition of the Illinois Women's Auxiliary of the Progressive Miners of America, of Marissa, Ill.; to the Committee on the Judiciary.

10461. Also, petition of the Illinois Women's Auxiliary of the Progressive Miners of America, of Marissa, Ill.; to the Committee on Expenditures in the Executive Departments.

10462. Also, petition of the Illinois Women's Auxiliary of the Progressive Miners, of Marissa, Ill.; to the Committee on Banking and Currency.

10463. Also, petitions of the Illinois Women's Auxiliary of the Progressive Miners of America, of Marissa, Ill.; to the Committee on Military Affairs.

10464. Also, petition of the Illinois Women's Auxiliary of the Progressive Miners of America, of Marissa, Ill.; to the Committee on Agriculture.

10465. Also, petition of the United Korean Christian Society of Hawaii; to the Committee on Foreign Affairs.

10466. By Mr. BUCKLER of Minnesota: Petition signed by residents of Pittsburgh, Pa., protesting against the military disaffection bill (S. 2253) and the Kramer sedition bill (H. R. 6427); to the Committee on Military Affairs.

10467. By Mr. PATMAN: Resolution of delegates representing the independent retail grocers and food dealers of the entire city of New York, assembled at the Hotel Commodore on March 1, 1936, in the Fifteenth Annual Convention of the United Independent Retail Grocers and Food Dealers Association, Inc., favoring the passage of the Robinson-Patman bill in its present form; to the Committee on the Judiciary.

## SENATE

TUESDAY, MARCH 10, 1936

(Legislative day of Monday, Feb. 24, 1936)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 9, 1936, was dispensed with, and the Journal was approved.

### CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Copeland	King	Radcliffe
Ashurst	Costigan	La Follette	Reynolds
Austin	Couzens	Lewis	Robinson
Bachman	Davis	Logan	Russell
Bailey	Dickinson	Long	Schwollenbach
Barbour	Dieterich	McAdoo	Sheppard
Barkley	Donahey	McGill	Shipstead
Benson	Duffy	McKellar	Smith
Bilbo	Fletcher	McNary	Steiwer
Black	Frazier	Maloney	Thomas, Okla.
Bone	George	Minton	Thomas, Utah
Borah	Gibson	Moore	Townsend
Bulkeley	Glass	Murphy	Trammell
Bulow	Gore	Murray	Truman
Burke	Guffey	Neely	Tydings
Byrnes	Hale	Norbeck	Vandenberg
Capper	Harrison	Norris	Van Nuys
Caraway	Hatch	O'Mahoney	Wagner
Carey	Hayden	Overton	Walsh
Clark	Holt	Pittman	Wheeler
Connally	Johnson	Pope	White
Coolidge	Keyes		

Mr. TOWNSEND. I announce that my colleague the senior Senator from Delaware [Mr. HASTINGS], is necessarily absent from the Senate.

Mr. AUSTIN. I announce that the Senator from Rhode Island [Mr. METCALF] is necessarily absent.

Mr. LEWIS. I announce that the Senator from Alabama [Mr. BANKHEAD] continues to be absent because of illness, and that the Senator from Nevada [Mr. McCARRAN], the Senator from New Hampshire [Mr. BROWN], the Senator from Virginia [Mr. BYRD], the Senator from Rhode Island [Mr. GERRY], and the Senator from New Mexico [Mr. CHAVEZ] are unavoidably detained from the Senate.

The VICE PRESIDENT. Eighty-seven Senators have answered to their names. A quorum is present.

W. W. COOK

The VICE PRESIDENT laid before the Senate the amendments of the House to the bill (S. 1837) for the relief of W. W. Cook, which were, on page 1, line 4, to strike out "refund" and insert "pay"; and, on page 1, line 6, to strike out all after "\$30", down to and including "Cook" in line 8, and insert "in full settlement of his claim against the United States for the refund due him on two broker's special tax stamps, no liability to such special tax having been incurred